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OF
IRISH HISTORY**

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A CRITICAL EXAMINATION
OF
IRISH HISTORY

BEING
A REPLACEMENT OF THE FALSE BY THE TRUE

*FROM THE ELIZABETHAN CONQUEST
TO
THE LEGISLATIVE UNION OF 1800*

BY
Thomas DUNBAR INGRAM, LL.D.

IN TWO VOLUMES
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CONTENTS.

CHAPTER I.

INTRODUCTORY	PA GE 1
------------------------	------------

CHAPTER II.

THE ELIZABETHAN CONQUEST	15
------------------------------------	----

CHAPTER III.

A RETROSPECT	31
------------------------	----

CHAPTER IV.

HOSTILITY OF THE ROMAN CATHOLIC BISHOPS, CLERGY AND LAWYERS TO PROTESTANT KINGS DURING THE REIGNS OF ELIZABETH, JAMES I. AND CHARLES I.	49
---	----

CHAPTER V.

CONSPIRACIES DURING THE REIGNS OF JAMES I. AND CHARLES I.—SOCIAL AND POLITICAL CONDITION OF THE ROMAN CATHOLICS—THE TRUTH ABOUT THE PROPOSED PLANTA- TION OF CONNAUGHT	66
---	----

CHAPTER VI.

THE IRISH PARLIAMENTS IN THE REIGNS OF JAMES I. AND CHARLES I.	81
---	----

CHAPTER VII.

THE REBELLION OF 1641	104
---------------------------------	-----

355.04

CHAPTER VIII.

	PAGE
THE ACTS OF SETTLEMENT. FIRST PERIOD OF THE REIGN OF JAMES II.	131

CHAPTER IX.

JAMES II. IN IRELAND	160
--------------------------------	-----

CHAPTER X.

PENAL LAWS IN ENGLAND AND IRELAND	181
---	-----

CHAPTER XI.

CONDITION OF IRELAND FOR MANY YEARS AFTER THE WAR OF THE REVOLUTION—POYNINGS' LAW—THE REVENUE OF IRELAND	221
--	-----

CHAPTER XII.

THE FIRST TWO PARLIAMENTS AFTER THE REVOLUTION. THE ALLEGED SUPPRESSION OF THE IRISH WOOLLEN MANU- FACTURE.	243
---	-----

CHAPTER XIII.

THE APPELLATE JURISDICTION CLAIMED BY THE IRISH LORDS. THE SACRIFICE OF TILLAGE TO PASTURE	262
---	-----

CHAPTER XIV.

FROM 1753 TO 1773—THE INTENTIONAL WASTE BY THE IRISH COMMONS OF THE RESOURCES OF THE COUNTRY—UNI- VERSAL JOBBERY	279
--	-----

CHAPTER XV.

FROM 1773 TO THE SETTLEMENT OF 1782	304
---	-----

CHAPTER XVI.

THE SETTLEMENT OF 1782—SIMPLE REPEAL—REVOLT OF THE VOLUNTEERS AGAINST THE PARLIAMENT—THEIR CONVEN- TION—CONDITION OF IRELAND IN 1783 AND 1784—DEMAND FOR A COMMERCIAL UNION	329
--	-----

CHAPTER I.

INTRODUCTORY.

THE sensitiveness of the English conscience is wonderful, even pathetic. It is for ever seeking reasons for self-depreciation and self-condemnation. An Englishman is no longer right in his own eyes, and self-confidence has deserted his breast. Doubtful of his own uprightness and bewailing his shortcomings, he calls in question the conduct and policy of his forefathers. When accusations of cruelty, religious persecution and perfidy are brought against the men who made England, and laid the foundations of a world-wide empire, he is afraid to vindicate their memory, and assents in silence to charges which have no foundation. Overborne by the clamour of partial writers, who had not a particle of the historic spirit, and who wrote for the purpose of depreciating his country and his government, he surrenders his loyalty to his ancestors, who have been the great promoters of freedom of thought, of justice and of civilisation throughout the world. In his humility and self-denunciation he is willing to forget that he is come of a people who have ever been distinguished by their piety, integrity, humanity, and what is perhaps the greatest civic virtue—a love of compromise.

Yet there are circumstances in his own history which might have led him to doubt the truth of these accusations. It is unquestionable that the growth of England

has been accompanied with infinitely less bloodshed and rancour than that of the neighbouring nations, France, Spain and Germany. No general massacres stain his annals for a period of 800 years. The number of those who died for their religion is small indeed. His civil contests have been conducted with wonderfully little direct injury to the country at large. During the Wars of the Roses the mischief of the struggle was limited to the feudal lords and their dependants. No public buildings were demolished and no towns were sacked. Commerce went on unchecked, and even increased. The course of justice was undisturbed, and the judges went their circuits. In the great civil wars, 1642-1651, nothing was more remarkable than the reluctance of both parties to take up arms, and their constant eagerness for an accommodation. Negotiations took up nearly as much time as military operations. The Royalists and their opponents were agreed that the laws regarding private transactions and interests should be rigidly maintained. As in the Wars of the Roses, the judges went their circuits and held their courts in the provincial towns. In the midst of revolutionary confusion England was singularly exempt from crimes of violence. No bands of marauders, taking advantage of the commotions of the country, spoiled the peaceful inhabitants or pillaged their possessions. The revolution of 1688 was bloodless. If we compare our internal contests with even the modern Continental revolutions of the eighteenth and nineteenth centuries, we cannot but be struck by the essential difference between them. The English were limited and regulated movements in one direction—the latter were all destructive explosions.

Nevertheless, in spite of reflection and the lessons of the past, the Englishman is uneasy. If the Treaty of Limerick or the Penal Laws are mentioned in his presence

he hangs his head, and has nothing to say to charges of faithlessness and intolerance. Yet it is as clear as the day that the Treaty of Limerick was not violated, and that no such statement was ever made in Ireland respecting it until the establishment of the first Catholic Committee in 1756, when it was put forward as a good popular cry. As for the Penal Laws, they were *extorted* from an unwilling Government by the numerous attacks of the Catholic powers from without, and by the support given to those attacks by a faction among the Roman Catholics at home. This is not the opinion of one individual alone, but is supported by the testimony of many wise and learned men of that persuasion. In 1601, at the end of Elizabeth's reign, the Secular priests of England issued an address to all "true and sound Catholics". In this, they declared that the Penal Laws were brought upon their community by the causes just mentioned; that some of their own calling, if they had been members of the Queen's Council, "knowing what they do know, how under pretence of religion the life of Her Majesty and the subversion of the kingdom is aimed at," would have consented to the making of similar laws, and that no one during her reign was ever vexed "for that he was either priest or Catholic".¹ In 1604, the Roman Catholic laity, in a petition to James I., asserted that for the first twelve years of the reign of Elizabeth, *i.e.*, up to her excommunication by Pius V., their community was undisturbed. "No prince," say they, "was for that space better beloved at home, or more honoured or respected abroad; no subjects ever lived with greater security or contentment; never was the realm more opulent or abundant; never was both in court and country such a general time of triumph, joy

¹ *Important Considerations*, 1601.

and exultation.”¹ The great Bossuet, about 1700,² stated that the Catholics in England were not punished as Catholics, but “as public enemies, as men ever disposed, when the Pope should order, to revolt against the King”.³ In 1793 the Rev. Joseph Berington, the historian, and Sir John Throckmorton, both devoted sons of their Church, denied that any Roman Catholic priest had been put to death for religion during Elizabeth’s reign.⁴ The Irish Franciscan, Father Peter Walsh, who at one time was professor of divinity at Louvain, published in 1674 a *Dedicatory Address to the Catholics of England, Ireland and Scotland*. He thus accounts for the enactment of the Penal Laws: “The original source of all those evils, and perpetual spring of all other misfortunes and miseries whatsoever of the Roman Catholics of England, Ireland, Scotland, at any time since the first change under Henry VIII., hath been a system of doctrines and practices, not only quite other than yourselves do believe to have been either revealed in Holy Scripture, or delivered by Catholic tradition, or evidenced by natural reason or so much as defined by the Tridentine fathers, but also quite contrary to those doctrines and practices which are manifestly recommended in the letter, sense and whole design of the Gospel of Christ, in the writings of His blessed Apostles, in the commentaries of their holy successors, in the belief

¹ *An Apology or Petition of the Lay Catholics*, p. 14. This is commonly known as the *Petition Apologetical*.

² Bossuet died in 1704. His *Defensio* did not appear until 1730. This edition was from an imperfect copy. In 1745 it issued from the press in its present shape.

³ *Prompti scilicet in regem insurgere ubi Romano pontifici placuisset* (*Defensio*, pars 1, lib. 4, c. 23).

⁴ “They were martyrs to the deposing power, not to their religion” (Throckmorton, *Letters to the Catholic Clergy of England*). “It was not for any tenet of the Catholic faith that they were exposed to persecution” (Berington, *Mission of Panzani*).

and life of the Christian Church universally for the first ten ages thereof, and moreover in the very clearest dictates of Nature itself, whether Christianity be supposed or not.”¹ Is this Roman Catholic testimony sufficient, or is it necessary to add a fact which of itself is enough to show that there was no religious persecution of Roman Catholics in the reign of Elizabeth? Every Jesuit and missionary priest condemned to death, to secure his dismissal in safety, had only to acknowledge her as the true and lawful Queen of England, notwithstanding the Papal excommunication deposing her and absolving her subjects from their allegiance.²

In England, where the Protestants were numerous, and a large proportion of the Roman Catholics were loyal, the doctrines of the Jesuits and *seminary* priests—that the Pope could absolve the subject from his civil allegiance, that Elizabeth was a usurper, and that it was *de fide*,³ that is, necessary to salvation, to deprive her of all authority—were only accepted by an active and unscrupulous minority among the Roman Catholics, which the Government was unable to distinguish from the majority.

¹ Address prefixed to the *History of the Irish Remonstrance*.

² When Campion and his companions were convicted, John Hart, James Bosgrave, Edward Reshton and Orton saved themselves by such an acknowledgment. Cardinal Allen admitted that those who made this acknowledgment “were to be absolved from death, though they professed the Catholic religion” (Butler, *English Catholics*, i., p. 428). The Rev. Joseph Berington says expressly “that none of the old clergy suffered, and none of the new, who roundly renounced the assumed prerogative of Papal despotism” (*Panzani*, p. 34).

³ “The whole of divines and canonists do hold,” says Father Parsons, “that it is certain and of faith that if any Christian prince do deflect from the Catholic religion, his subjects are free from all obligation of that oath which they have taken for their allegiance, and that they may and ought, if they have forces, drive out such a man as an apostate or heretic, and an enemy to the common wealth, from all dominion over Christians, etc.” (Throckmorton, *Letters to the Catholic Clergy*, p. 129).

But Ireland at this time was almost purely Papal, and the moderating influence of a body of citizens holding a different belief was absent. Its excitable people were taught that Elizabeth and her adherents had been cut off from the unity of the Body of Christ,¹ that she was the enemy of God and man,² and that it was their duty as Catholics to fight against her, and to aid her enemies. To support these principles by active intervention Papal invasions were despatched to Ireland; plenary indulgences were distributed to stir up its inhabitants to rebellion and wars of religion; and Jesuits and missionary priests laboured incessantly to inculcate that war against the English heretics was as meritorious as one against Turks and infidels.³ Though at first rejected by some of the Irish ecclesiastics and nobles who adhered to Elizabeth, the poison worked its way slowly and surely through the minds of the Irish, alienating them from the English, and sowing the seeds of national enmity. A large proportion of the Irish nobles were disaffected because they had been deprived of their absolute authority, and because they perceived that Elizabeth's Government was resolved to give their dependants security of tenure, and to free them from the intolerable exactions to which they were liable. But they were well aware that the proposed changes were popular with the people. They therefore maintained a discreet silence respecting these measures, and adopted the cry of religion in danger. Under the leadership of

¹ "Declaramus prædictam Elizabetham . . . eique adherentes a Christi corporis unitate præcisos (Bull of Pius V).

² "Quæ, Deo pariter et hominibus infesta, in Anglia et ista Hiberniæ insula superbe et impie dominatur." The words of the bull which Sander, the Pope's legate, took with him in 1579 (Ellis, *Original Letters*, second series, iii., p. 93. *Phelan's Remains*, ii., p. 204).

³ Bull of Gregory XIII., 13th May 1580 (O'Sullivan, *Compendium Hist. Catholicæ*, p. 121).

O'Neill and O'Donnell, and directly encouraged by the Roman Pontiff,¹ they rose in a general insurrection, and the first religious war in Ireland was begun, only to be ended by the conquest of the whole country.

Even after the death of Elizabeth, the hostility of the Popes was continued to her Protestant successors. Their policy is best described in their own words: "The Holy See never can by any positive act approve of the civil allegiance of Catholic subjects to a heretical prince."² In pursuance of this policy, Paul V., in 1606, issued a bull to the Catholics of Ireland and England forbidding them to take the oath of allegiance or any similar oath.³ The injunction was obeyed, and the Irish refused to take an oath of obedience to their Sovereign. The rule was relaxed during the short reign of James II., but was again revived against his successors. The oath which was refused to our English kings was freely given to the descendants of James, who nominated every Roman Catholic bishop in Ireland until the death of the last Stuart.⁴ "Would it not be more than absurd," wrote the Roman Catholic bishop of Ossory, as late as 1772, "that a Catholic priest, preaching the word of God to a Catholic people, should swear allegiance to King George as long as he is a supporter of a heterodox religion, and as long

¹ Papal letter to O'Neill, 20th January 1601 (*Pacata Hibernia*, ii., p. 667). The Pope had sent a plenary indulgence the year before to all who should aid O'Neill "as if they were warring against the Turks, and for the recovery of the Holy Land" (*Ib.*, p. 664).

² Letter from the Papal secretary, Cardinal Pamphili, to the legate, Rinuccini, May, 1646; Carte, *Ormond*, i., p. 578; O'Connor's *Historical Address*, ii., p. 415; Hutton, *Embassy of Rinuccini in Ireland*, p. 580.

³ "Propterea admonemus vos, ut ab hoc atque similibus juramentis præstandis omnino caveatis" (Bishop Burke's *Hibernia Dominicana*, p. 613, where the bull is given).

⁴ Evidence of Dr. Doyle, Roman Catholic bishop of Kildare and Leighlin, before a committee of the House of Commons (*Digest of Evidence, etc.*, p. 325).

as he has a heterodox consort? Even if he should embrace the orthodox faith, or take an orthodox wife, is that a reason why a Catholic priest should abjure the king to whom he has already sworn allegiance?"¹ Two years later, in 1774, when an oath of allegiance was offered to the Irish Roman Catholics, which they themselves declared to be unexceptionable, less than sixteen hundred took it.²

The conduct of the Popes, acting in direct violation of the precepts of the Gospel, which enjoined obedience to Pagan Emperors,³ and the perpetual inculcation by their agents that the Sovereigns of England and their subjects were the enemies of God and of the Irish people,⁴ were attended with evils to Ireland beyond emuneration and beyond estimation. They produced the long and implacable hatred of the Irish to the English people. The numerous attempts from without to subjugate England, the assistance given to these attempts by the Papistic party at home, and the efforts to corrupt the fidelity of the subject by the secret teaching of rebellion, were the causes of the penal

¹ Burke, *Hibernia Dominicana*, p. 721.

² Browne, *Short Review*, p. 36 (Dublin, 1788). Arthur Browne was a member of the Irish Parliament.

³ "No man, nor any assembly of men, however eminent in dignity and power, not even the whole body of the Catholic Church though assembled in general council, can, upon any ground or pretence whatsoever, weaken the bond of union between the Sovereign and the people, still less can they absolve or free the subjects from their oath of allegiance. . . . Such is the doctrine which the Faculty of Divinity has imbibed from the Holy Scriptures, the writings of the ancients, and the records of the primitive Church, etc." (*Judgment of the Roman Catholic University of Louvain*, 1788). Five other universities concurred in this judgment—Douay, Paris, Alcalá, Valladolid and Salamanca (Butler, *Eng. Catholics*, i., Append.).

⁴ In his bull, directed to all the archbishops, bishops, prelates, princes, counts, barons, clergy, nobles, and peoples of Ireland in 1580, Gregory XIII. calls the English "the enemies of God and of yourselves" (O'Sullivan, *Comp. Hist. Cathol.*, p. 121).

laws, which were political and not religious in their aim.

“Persecution for religion solely,” says a Roman Catholic writer,¹ “was odious even in the days of Elizabeth.” The authors of the English penal statutes were wise enough to know that such laws tended to the impoverishment of the kingdom and to diminish the value of their own estates; and that, when one class of the community is depressed by legal restrictions, it loses its energy, and industry suffers. But they also knew the imminent danger which threatened their nation; that they were struggling against a combination of the Catholic Powers for mere existence as an independent State, and for freedom to worship God according to their conscience. Self-interest yielded to a sense of public danger, and they consented to enactments which they believed to be necessary for the salvation of England though opposed to its material prosperity. Purely defensive as the English penal laws were, they were not extended to Ireland. The statutes of Supremacy and Uniformity were the only Acts which affected the Irish Roman Catholics during the whole reign of Elizabeth. The Act of Supremacy and the oath in it, as explained by Elizabeth’s Admonition, had no reference to religion, as many Roman Catholics, such as Feckenham, last Abbot of Westminster, Father Walsh, Sir John Throckmorton and the Rev. Dr. O’Conor have shown. No person except those holding ecclesiastical or civil offices, or suing out livery of their lands, could be required to take the oath, and the penalty for declining it was only deprivation of office.² The Act of Uniformity

¹ Sir John Throckmorton. *Preface to Letters to the Catholic Clergy*, p. 9.

² Of the similar Act passed in England, Charles Butler, a learned Roman Catholic, says: “None, however, except persons holding

imposed a fine of twelvepence, equal to ninepence English, on all persons, whether Roman Catholics or Dissenters, omitting without reasonable cause to attend their parish church. No other law affecting Roman Catholics was passed in Ireland during the reigns of Elizabeth, James I. and Charles I. Yet as the words of the Act of Supremacy were interpreted by Papal advocates as denying the spiritual authority of the Pope, and the Act of Uniformity regulated the forms and prayers of public worship, it was inevitable that these two statutes should increase the national animosity of a people directed and controlled by a hierarchy and clergy imbued with ultramontane doctrines.

This feeling of animosity is the real source from which the accusation of the Irish writers against the English Government originally sprang. After the Great Rebellion of 1641 and the Cromwellian Conquest, numerous Irish ecclesiastics, Enis, Paul Kong, Ponce, French, etc., dispersed themselves over the continent. There they published many books inveighing against the conduct of the English and recounting their own sufferings. Influenced by two of the strongest feelings that darken judgment, namely, religious rancour and anger at the loss of possessions,¹ they proclaimed aloud their own misfortunes and the crimes

ecclesiastical or civil office could be required to take the oath; and none but those who voluntarily denied the Queen's supremacy were subjected to other penalties" (*English Catholics*, i., p. 346).

¹ In 1642, all the possessions of the Protestant Church in Ireland were transferred to Roman Catholics. This was effected by the following Act of the General Assembly of the Rebel Confederation, "It is ordered and established that the possession of Protestant Archbishops, Bishops, Deans, Dignitaries and Parsons, in right of their respective churches or their tenements in the beginning of these troubles, shall be deemed, taken, and construed as the then possession of the Catholick-Archbishops, Bishops, Deans, Dignitaries, Pastors, and their tenements respectively to all intents and purposes." Acts of General Assembly of Irish Confederation 1642 (*History of the Confederation and War in Ireland*, ii., pp. 73-84).

of the heretics. This was natural; it would be hard to expect impartiality from men who in the confusion of the times had lost their all. The great majority of these books would long since have been forgotten, but for the use made of them by a younger generation of authors which came into existence with the foundation of the first Catholic Committee in 1756. Curry, one of its founders, to advance the objects of the Committee, set himself to transform Irish history into a catalogue of English misdeeds. For this purpose, he betook himself to the ample store contained in the older books, and others as worthless as these, and collected every circumstance he could find unfavourable to the English administration. He even went so far as to state, as historical facts, events which had been related by his authority as hearsay only.¹ The spirit in which Curry wrote was caught up and adopted by a series of writers, the last of whom we have not yet seen. Their one theme is the injustice of the English administration in Ireland. Their idea is that history is an indictment and they themselves its prosecutors. For calm judgment, dispassionate investigation, or impartiality, we look in vain in their writings. That a purpose runs through the ages, and that the province of history is to portray a continuous and necessary

¹ For example, he says that during the administration of Oliver St. John the poor everywhere, not being able to pay the fine for non-attendance at church, fled into dens and caverns, whither they were followed by furious bloodhounds set on by sheriffs equally furious; that their dead bodies were not even safe, but were denied Christian burial and thrown into holes dug in the highway. When we examine his authority, a book published anonymously at Cologne in 1616-17, under the title *Analecta Sacra*, we find they are there given under an "it is reported". Dr. O'Connor, a Roman Catholic clergyman, gives other instances, and thus concludes his notice of Curry's method. "Yet there is no authority for all this but the hearsay, *fertur*, of a man who was then in Germany. Such are our Irish historians; God bless them" (*Historical Address*, ii., p. 318.)

evolution from the past, never entered their heads. Of the present school, Curry, Plowden, and the younger Grattan are the accepted oracles. Curry was the author of a *Review of the Civil Wars of Ireland*, which Hallam justly stigmatised as "a tissue of misrepresentation and disingenuousness". Plowden was a mercenary scribbler, who volunteered to write his *Review* for the purpose of proving the utility and necessity of the Legislative Union; and, when he was disappointed in the wages he expected, wrote his *History* to show that the Union was a misfortune to Ireland. He himself tells us that he commenced to write his *Review*, "confiding in the ultimate remuneration of Government," that he received £300 from Mr. Addington, then Premier, and that his book was to appear "under the correction" of the same gentleman.¹ The declamatory production of the younger Grattan is one of the wildest and most extravagant books in the English language. The five volumes of which it consists make up one continued laudation of his father, vituperation of his political opponents, and abuse of the British Government. Worthless as the work is, and useless for the purposes of history, it converted Mr. Lecky, who considered it, as he tells us, "much the amplest and best history of the closing years of the Irish Parliament," that is from 1782 to 1800. Influenced by Grattan, Mr. Lecky enlisted in the ranks of the detractors of the English and British Government. He very soon proved

¹ See what Plowden calls this Postliminious Preface. Dr. O'Conor accuses him of "shameful ignorance," and Hallam says that his *Review* was "not less unfair, and more superficial" than Curry's account of the Civil Wars. Plowden discussed the nature and effects of documents he had never seen, as the letter of the Irish chiefs to Pope John XXII., and the statute of Kilkenny. He admitted in his letter to Dr. O'Conor that he had never seen the former, and the latter was lost from the time of James I. to 1843.

himself an apt disciple of a crazy master, and devoted many years to demonstrate that the policy of the sister country in Ireland has been a selfish policy, which has prevented the prosperity and industrial development of the island.

If the members of the modern school were asked this question: Is not every blessing which the Irishman enjoys, save his religion, his bodily conformation, his soil, and his climate, the gift of England or Great Britain? What would be their reply? But we need not wait for their assent or denial, for the Irish people have answered the question by voluntarily accepting the innumerable benefits conferred on them by the connection. The language which they speak is a gift from the English; so is their literature. Their murderous tribal wars were put an end to, and peace throughout their country was established by the English. Their clan system, which was fatal to all improvement or advance in civilisation, was abolished, and their fusion accomplished by the English. England raised Ireland from being a pastoral country, with its wandering families, attended by their flocks and herds, to the settled agricultural stage, and taught its inhabitants to give up their barbarous customs of ploughing by the tail, of plucking the wool of live sheep instead of shearing them, and of the "fiery flail," that is, burning the straw instead of threshing out the corn. The dress of the Irish, and all the conveniences of their daily life are English. Whatever civilisation exists among them, whatever knowledge of science, painting, sculpture, and architecture prevails, has been imparted by the English. Their laws, institutions, machinery, manufactures, municipal government, and manner of life, are English. Their land code, more favourable to the cultivator than any other in Europe, was enacted in a British Parliament. Even the crowning

glory of Ireland, the purity of its women, was learned from the British settlers, for up to the beginning of the seventeenth century the Irish were noted for their licentiousness. These are heavy weights to be placed in the scales in which the merits and demerits of the British Government are balanced; yet, strange to say, they are never alluded to.

Let us select one of the anti-English school as an example of the rest, and accompany him in his disquisitions on ancient and modern Irish history. Mr. Lecky is the most respectable among the teachers of the doctrine that no good thing can come out of the British Nazareth, and conveys his opinions in a more polished style. He is also the fittest representative of them, for he is a firm believer in all that they preach, and shares, in full vigour, the one-sided credulity of these writers, and their incapacity to recognise real authorities. Like them, too, he accepts every utterance, provided it comes from an anti-English source, as confirmation strong. Thus he cites as evidence such authorities as Thomas Lee, a creature, and as he describes himself, bedfellow of the rebel Tyrone, who after his return from Ireland was executed for his share in the treason of Essex; and Peter Lombard, titular Archbishop of Armagh, and domestic prelate to the Pope, who wrote in Rome, and assured Clement VIII. that the Kingdom of Ireland was the ancient property of the Holy See, that the Irish refused to acknowledge any temporal sovereignty but that of the Pope, and that the Pope's sovereignty over Ireland was derived from God.¹

¹ See his *De Regno Hiberniæ*, preface and pp. 114-15.

CHAPTER II.

THE ELIZABETHAN CONQUEST.

THE insurrection of the Earl of Desmond was put an end to in 1583, and Munster enjoyed some peace until the year 1595. In this year "the entire province of Ulster," say the Four Masters, "rose up in one alliance and one union against the English".¹ The English Government, with a half-pacified Munster on their hands, were greatly alarmed by this outbreak, and in the following year, 1596, despatched commissioners to solicit a peace from O'Neill and O'Donnell, the chiefs of the Northern insurrection. Very favourable terms must have been offered to these chiefs, for the Irish annalists inform us that the Government proposed to them the exclusive possession of Ulster, "except the tract of country, extending from Dundalk to the river Boyne, in which the English had dwelt long before that time"; that no collectors of tributes should be sent among them, but that the rents paid by their ancestors should be forwarded by them to Dublin; and that the Irish in the province of Connaught, who had risen up in alliance with O'Donnell, should have similar privileges.² Unhappily the Northern chiefs, at the instigation of the

¹ *Annals of the Kingdom of Ireland*, by the Four Masters, p. 1,959. These volumes will be cited by the name of the Four Masters, being that by which they are generally known.

² *Ib.*, p. 1,999.

Spanish king and on his promise of succours, refused the terms offered, and continued the war. Philip O'Sullivan Beare, who was Irish of the Irish, and who hated the English as heretics, also tells us that the conditions proposed by the Government were favourable. "Again proposals of a peace were made on both sides. Fair and honourable terms were offered by the Queen to the Catholic priests and laymen. O'Neill and O'Donnell, with others of the Irish, gave hostages for the acceptance of just and honourable terms, and for their ceasing to rebel. But before the peace was established and arms laid aside, Cobus and other ambassadors from Philip II., king of Spain, arrived, urging O'Neill and O'Donnell to be of good courage, and promising that an army should be immediately sent to their aid. The effect of his embassy was that the terms were rejected and the war renewed. O'Hanlon, Mac Engusa and the whole of Ulster, except the royal garrisons and the Anglo-Irish of Louth, joined in the confederation. Leinster was in flames, and Connaught was greatly disturbed."¹

In August 1598 O'Neill defeated the English with great loss in the battle of the Blackwater, not far from the town of Armagh. The effect of this victory was great and momentous. O'Neill was hailed as the deliverer of Ireland from the English yoke. The chiefs in Ulster, who had hitherto wavered, declared at once for him. In Connaught the revolt was general. The Septs in Leinster, who had up to this time confined themselves to short, occasional insurrections, broke out in full

¹ *Historiæ Catholicæ Ibernix Compendium*, 177. Philip O'Sullivan was nephew of O'Sullivan, Lord of Dunboy, a very valiant leader among the Irish. In 1602 Philip was sent to Spain, and entered the Spanish navy. His *Compendium* was published in 1621. A second edition appeared in Dublin in 1850, edited by Professor Kelly.

fury of rebellion, and bade defiance to the English Government. As for Munster, O'Neill, immediately after the Blackwater defeat, sent two of his lieutenants with four thousand kerne to stir up a fresh rebellion in that province, or as the annalists express it, "to make conquests, and to bring some of the adverse territories over to their cause by solicitation or force."¹ These officers were successful. The majority of the Irish clans, and many of the Anglo-Irish lords, united themselves to the Ulster army, and Munster was one general scene of insurrection. The forces of the united Irish were so numerous that they drove the president of the province and the Earl of Ormond into the town of Cork. There being no force to oppose the rebels, they proceeded to murder, burn, ravish and destroy at their leisure.² So great were their ravages that "they offered and sold at their camp a stripper or cow in calf for sixpence, a brood mare for threepence and the best hog for a penny, and these bargains were offered and proclaimed in every camp in which they were."³ Throughout the wide territories of the Earls of Desmond, every Englishman was either killed or driven away. The Four Masters tell us that, "as the country was left in the power of the Irish on this occasion, they conferred the title of Earl of Desmond, by the authority of O'Neill, upon James, the son of, etc, and in the course of seventeen days they left not within the length or breadth of the country of the Geraldines, extending from Dunqueen to the Suir, which the Saxons had well cultivated and

¹ Four Masters, p. 2,077.

² Fynes Moryson says that they "spoiled the country, burnt the villages and pulled down the houses and castles of the English, against whom, especially the female sex, they committed all abominable outrages" (*Moryson's Hist.*, i., p. 61).

³ Four Masters, p. 2,079.

filled with habitations and various wealth, a single son of a Saxon, whom they did not either kill or expel.”¹

The insurrection was general. O’Sullivan Beare, its historian, enumerates upwards of seventy chiefs, Anglo-Irish as well as Irish, who rose in rebellion, while twenty-seven only adhered to the Queen.² The Pope encouraged O’Neill, and sent him a plume of feathers hallowed by his own benediction. In reply to this Papal gift, O’Neill despatched a letter to Rome, in which he solicited the Pope to renew the excommunication against Elizabeth, “which would enable the Pontiff’s faithful subjects to act with success in the defence of his Kingdom of Ireland”.³ In answer to this request, the Pope addressed a letter to O’Neill, in which he designated him Captain General of the Catholic Army of Ireland, exhorting him to continue the struggle with the English, and promising to use his influence with Catholic princes to give him all possible assistance.⁴ To give further support to O’Neill, and to influence the Irish, a decision was obtained from the two universities of Valladolid and Salamanca, interpreting and enforcing the Papal letter to O’Neill. We give some extracts from this remarkable document: “It is beyond doubt that the Catholics may assist the said prince with great merit and assured hope of eternal reward. For as the said prince makes war for religion by the authority and exhortation of the Pope, and the Pope has granted many graces to those favouring the said prince, as if they were warring against the Turks, there can be no question that the war is just and of great merit. It is also certain that those Catholics do sin mortally who follow the camp

¹ *Four Masters*, p. 2,081.

² *Hist. Cathol. Compendium*, pp. 140-143.

³ The letter is given in *Pacata Hibernia*, i., p. 309.

⁴ *Ibid.*, ii., p. 667.

of the English against the said prince, and that they cannot be absolved by any priest until they repent and desert from the English army. The same judgment is to be passed on all who supply the English with arms or provisions, or with anything beyond those customary taxes which, by the indulgence and permission of the sovereign Pontiff, it is lawful to pay the Queen of England. From all which it is evident that the most illustrious prince Hugh O'Neill and the other Catholics making war against a heretical Queen, who opposes the true faith, are not rebels at all, neither do they refuse true obedience nor usurp unjustly her dominions, but rather are freeing themselves and their country from impious and wicked tyranny by a most just war, and are defending the holy orthodox faith with all their power as becomes Christians and Catholics! ”¹

This reference to the two Spanish universities was rendered necessary by the serious dissensions which had arisen among the Irish. A schism had broken out among their inferior clergy, similar to that which divided the Roman Catholics of England. The bull of Pius V. against Elizabeth deposed her, and deprived her of all authority over her subjects. A subsequent judgment of Gregory XIII. allowed the Roman Catholics to exhibit to her a temporary and conditional allegiance, *rebus sic stantibus*, so long as present circumstances should continue. Some of the Irish clergy took advantage of this latter decision to declare that Catholics might lawfully bear arms in defence of a heretical Queen. “On account of this division,” says O’Sullivan, “the supreme Pontiff commanded all the Irish to assist the Catholic princes. It was objected by the other faction, that the Papal letter had been obtained by false pretences.

¹ This decision is to be found in O’Sullivan, p. 262, and in *Pacata Hibernia*, ii., p. 511.

Wherefore a reference was made to these famous universities, which declared that the letter was not obtained by the alleged pretences, and condemned the opinion of those priests who adhered to the English party".¹ O'Neill himself was alarmed at the schism, and discussed this case of conscience in a manifesto issued by him in 1599: "Some Catholics do think themselves bound to obey the Queen as their lawful prince; which is denied; in respect that she was deprived of all such kingdoms, dominions and possessions which otherwise should have been due unto her, and, consequently, of all subjection, insomuch she is left a private person and no man bound to give her obedience." ²

This was not the only danger which threatened to frustrate the schemes of O'Neill. The Irish and Anglo-Irish chiefs began to suspect that O'Neill was aiming at the sovereignty of Ireland. Their wishes were opposed to any central government. What they desired was that Ireland should continue divided into a number of small principalities, and that each chief should possess absolute authority in his own district. It was for this that they had entered into rebellion against the English Government, which they saw was resolved to put an end to their local dynasties. In his manifesto, O'Neill had ventured to speak like a king, and declared that he would spoil the goods of all those who did not join him, and would dispossess them of their lands. He had also committed an indiscretion in creating James Fitzgerald Earl of Desmond, and in exacting from him homage and a promise of tribute. This conduct was resented by all parties, and the Irish, with their native humour, attached to the new creation the contemptuous

¹ *Hist. Cathol. Comp.*, p. 144.

² *Leland*, ii., p. 364, note, where the manifesto is given.

title of the Earl of Straw. In addition to these circumstances, the Anglo-Irish nobles dreaded the success of a rebellion which might place them at the mercy of the purely Celtic chiefs. They saw that if Ireland became independent under O'Neill, or were annexed to the Spanish monarchy, the old race question might be revived, and themselves either dispossessed or exterminated. The schism among the priests and the apprehensions of the chiefs, both native and Anglo-Irish, will account for the fact that so few of the Southern Irish joined the Spaniards on their landing and occupation of Kinsale in 1601.

O'Neill and O'Donnell were in the North when they received the news that a Spanish army had arrived. The two leaders collected their forces and marched to Kinsale, hoping to enclose the English, who were besieging that town, between them and the Spaniards. On arriving within a few miles of the English camp, they held a council of war, in which great dissensions arose. O'Neill's advice was to starve out the English; while O'Donnell was for an immediate attack. The opinion of the latter prevailed, and it was determined to surprise the English by night. When the time and mode of attack had been settled, a fresh contention arose between O'Neill and O'Donnell. "Neither of them," says the author of the *Life of O'Donnell*, "would allow the other to march in front of him to attack and assail the English, owing to the nobility of mind and pride of strength of both, for each one of them thought it a reproach and disparagement to himself and his tribe for ever to allow the first place on the road and the position on the way to the other force before his own".¹ The same

¹ O'Clery. *Life of O'Donnell*, p. 313 (Dublin, 1893). A similar occurrence took place at Culloden. The Clan Macdonald claimed the right hand in battle. They were placed on the left wing. They sulked and refused to charge.

author informs us that both parties were full of suspicion and fear of treachery, and that in consequence their advance was slow and languid. Instead of surprising, they were surprised themselves, and found the English, whom one of the principal leaders in the Irish army had warned of the attack the night before,¹ in order of battle. O'Neill's troops first appeared in the grey of the morning, and were driven back on O'Donnell's men, who were thus thrown into confusion. The rout was complete, and immediately after the Spaniards capitulated.

Thus ended this disastrous struggle, which had for many years turned Ireland into a field of battle; "the memorable war," as O'Sullivan Beare calls it, "in which the whole of Ireland was devastated, and the flower of the English nobility perished."² We can now ask: What were the English and the Irish respectively contending for, and what was the result of the contest? The English were striving against the continuance of anarchy and for unity of government in the island. The Irish fought for the maintenance of their system of petty and irresponsible princes. One of the greatest benefits that can be conferred on a nation is to replace a worn-out tribal system by a strong central authority. In Ireland, that system had long lost all its redeeming qualities. The perpetual local wars between the chiefs, and their disputes respecting the headship of their families, led to an ever-increasing proportion of warlike retainers, whose maintenance wasted the substance of the peaceful clansmen. No prosperity or advance was possible in a country where every lord of one or a few baronies thought it his duty to make a predatory

¹ *Pacata Hibernia*, ii., p. 414. Fynes Moryson, ii, 45.

² *Memorable bellum, quo non modo Ibernica tota fuit penitus devastata et excisa, sed etiam Anglicæ nobilitatis flos deletus* (*Hist. Cathol. Comp.*, p. 140).

excursion as soon after his inauguration as possible,¹ and where "war was the only certain inheritance which for centuries descended from father to son".² Ireland was indeed the paradise of swordsmen, but for the husbandman and non-combatant there was no security for life or property. They could neither sow in peace nor enjoy undisturbed the fruits of their labour. At any moment a band of plunderers, headed by a neighbouring chief, and justified by the national sentiment in favour of such forays, might enter their district and kill, burn, and destroy without any blame being attached to them. For nothing is more remarkable than the way these things are recorded by the Irish annalists. Though ecclesiastics, they relate battles, forays, and family dissensions as if they approved of them. "Triumphant traverser of tribes," and "warlike, predatory, and pugnacious plunderer of distant territories" are some of the titles they lavish upon their heroes. Mr. Richey has analysed the history of the *Four Masters* for the short period of thirty-four years, from 1500 to 1534, with this result: "Battles, plunderings, etc., exclusive of those in which the English Government was engaged, 116; Irish gentlemen of family killed in battle, 102; murdered, 168—many of them with circumstances of great atrocity; and during this period, on the other hand, there is no allusion to the enactment of any law, the judicial decision of any controversy, the founding of any town, monastery or church; and all this is recorded by the annalist without the slightest expression of regret or astonishment, and as if such were the ordinary course of life in a Christian nation."³ In these battles

¹ "Every Irish chieftain," says the editor of the *Four Masters*, "thought it his duty to perform a predatory excursion as soon after his inauguration as possible." P. 1,573.

² Hardiman, *Statute of Kilkenny*, p. 35, note.

³ *Short History of the Irish People*, p. 247.

and plundering excursions no quarter was given. "It was the sole consideration on each side," says an impartial student of our public records,¹ "who could inflict the greatest amount of suffering and injury on the other. Blood could only be wiped out by blood, and, horrible to relate, in his mistaken thirst for vengeance, the age or sex of his victim, their guilt or their innocence mattered little to the spoiler. The Irish are a generous people; but in these wars of rival clans, nothing else was developed except thoughtless and indiscriminating ferocity. If ever human nature realised, in its most dreadful and liberal interpretation, that expression of being 'drunk with the blood of the slain'—when reason, reflection and compassion were all dethroned by one masterless passion of the hour—that strange and awful phenomenon was verified in these Irish wars." It was to put an end to such atrocities, and to restore a sense of order and good government that the English were struggling. They were fighting the battle of the poor and unprotected peasants, to whom they were desirous of giving security, and of freeing them from the uncertain and innumerable exactions of their tyrants. One thing at least was certainly effected by this conflict: it ended for ever the clan system and its ceaseless succession of tribal wars, as was shown by the fact that when the Irish, forty years later, again rose in rebellion, they adopted in their Kilkenny Assembly the English plan of representation.

For the Irish chiefs themselves, both native and Anglo-Irish, the only hope of rising to a higher state of civilisation depended on the victory of the English and the establishment of a central authority. Their bloody and interminable feuds, and their contentions about the

¹ Mr. Brewer, in preface to third volume of the *Carew Manuscripts*, p. 57.

lordship of their narrow territories, had introduced a system of manners and morals hardly, if at all, superior to that of American Indians. An insult, a dispute respecting a few acres, the vain glory of a newly-elected chieftain, or a desire to extend their domains, were the perpetual causes of forays, which swept off in a night the wealth of a clan and left its homesteads in ashes. Their lives were spent either in attacking their neighbours or in defending their own possessions from the incursions of other tribes. In the midst of squalor and disorder, they were indifferent to letters or the arts which adorn life. One remarkable circumstance, brought out by a study of the Irish annals, is the great number of fratricides among these chiefs. It would appear that the system of fosterage which prevailed among them weakened the fraternal feeling. The custom was to give out the children of the rich to be nurtured in the families of dependants. A love, strong as death, grew up between the child and the members of his new family. But this was effected at the expense of his true brothers, who were also brought up in the same way and in different families. At a time of life when the home affections develop themselves, the brothers in blood were estranged from each other, were not educated under the same parental care, did not share in the same pastimes, and were not endeared to each other by early and daily association. Their mutual relation was rather that of the sons of a Mohammedan nobleman by different mothers, and taught to regard their brethren with jealousy. O'Sullivan Beare bewails the frequency of family murders and fratricides among the class to which he himself belonged. "In ancient times the Irish, purified by religion, were incorrupt, of unstained morals, and cultivators of right and justice. But now, for a long time, they have

been inflamed with an unheard of desire of obtaining ample possessions, and the lordship each in his own family. From these sources arose contentions, hatreds, domestic wars, ravages, devastations, and innumerable evils of the same kind. For not only did the New Irish make war on the Old, and were in return attacked by them; but the New were at war with the New, and the Old equally at war among themselves. Nay, even blood relations, and often brothers, for a few acres of land, for an increase of their possessions, or for an insult were put to the sword, no one showing mercy to the other. So that their most lamentable condition is most fitly described in the verses of Ovid:—

Vivitur ex rapto; non hospes ab hospite tutus,
Non socer a genero; fratrum quoque gratia rara est.”¹

The mixed race which now dwells in Ireland can sympathise with the valour displayed on both sides. The English poured out their blood and treasures to end for ever the degrading anarchy which would have perpetuated the poverty and disorder of the country, and to elevate Ireland from the pastoral to the agricultural stage. The Irish fought desperately against superior arms and discipline for the maintenance of their tribal system. But we should not allow our sympathy for either party to make us overlook the real and only historical question—which side was making for civilisation, for prosperity and peace? This is the mistake which Mr. Lecky makes. He understands neither the details of this long conflict nor the principles which underlay it. He finds nothing in this protracted struggle but a peg whereon to hang an accusation against the English Government. He attributes the lamentable state

¹ *Hist. Cathol. Comp.*, p. 82, and repeated in almost the same words at p. 339.

of Ireland in 1600 to the manner in which the soldiers of the Queen carried on hostilities. For this purpose he enumerates each particular misdeed committed by them which he could collect, while the only remark he makes on the Irish mode of warfare is "the cruelties were certainly not all on one side". He should at least have stated some facts which may account for occasional excesses on the part of the English soldiery. The Irish gave no quarter, except when they hoped for ransom; they killed the wounded as they lay on the field of battle, and cut off their heads as trophies.¹ The spirit in which he wrote is shown by the way in which he

¹The first who mentions this custom of decapitation is Giraldus Cambrensis who says that the Irish gave no quarter and decapitated the vanquished. The custom spread to the Anglo-Irish. Lynch in his *Cambrensis Eversus* tells us that the first Earl of Clanrickard once followed a plundering expedition led by his "nearest relatives," recovered the prey, and brought back so many heads that he was ever afterwards known as Ulick of the heads (vol. ii., p. 159). Stanihurst, who wrote in 1584, says that the Irish soldiers mutilated the bodies and cut off the heads of their opponents (*De Rebus in Hibernia Gestis*). Lughaidh O'Clery, one of the family to which we owe *The Annals of the Four Masters*, in his *Life of O'Donnell*, tells us that after the defeat of the English at the Blackwater in 1598 "the soldiers returned and proceeded to strip the people who had fallen in battle and to behead the crowd who were severely wounded" (p. 175). He also informs us that in 1599, after the battle in which Sir Clifford Conyers was slain, "O'Donnell's forces went back and proceeded to cut down those whom they had mortally wounded and to slay the wounded whom they met with on the battlefield and to behead them" (*Ib.*, p. 219). The *Four Masters* also give instances of this custom. Before the battle of Benburt in 1646, the well known Heber MacMahon, Bishop of Clogher, harangued the Irish army, and inveighed vehemently against the customary inhumanity of the soldiers. He conjured them by the duty they owed to God to give quarter to the enemy if Providence gave them success (O'Connor, *Dissertations on Irish History*, p. 89). How the injunction was obeyed, we learn from a letter of the Papal legate, Rinuccini, to the Pope: "It is impossible to know how many were killed in the flight, but as the slaughter continued for two days after the battle, it is certain that of the infantry not one escaped. Sir Phelim O'Neill, when asked by the colonels for a list of his prisoners, swore that his regiment had not one, as he had ordered his men to kill them all without distinction" (Hutton, *Embassy of Rinuccini*, p. 174).

manages his quotations when made from writers of credit. Thus he quotes from Spenser his well-known description of parts of Munster, without adding the words which attribute the ruin principally to the ravages of the kerne and gallowglasses.¹ Of another quotation he gives only the last few lines, though the whole of it tells against his theory, and ascribes the devastations to one of the tribal wars. The following is the passage in full, with the part extracted by Mr Lecky in italics:—

“The Earl of Desmond remained from the middle month of the autumn of the preceding year to the end of this year [1582], between Druim-Finghin, Eatharlach and Coill-an-Choigidh, heeding or caring for neither tillage nor reaping, except the reaping, *i.e.*, cutting down of the Butlers by day and night, in revenge of the injuries which the Earl of Ormond had up to that time committed against the Geraldines. It was the easier to oppress the Butlers, because the Earl of Ormond was this year in England, and his territory experienced the ill effects of his absence; for almost the whole tract of country from Waterford to Lothra, and from Cnamhchoill to the county of Kilkenny, was suffered to remain one surface of weeds and waste. Nor was it wonderful that these lands should be left thus waste on account of the many times the earl had plundered the two Ormonds, Duharra, Ikerrin, South Ely and the Forthuathas, Middle-third and Clonmel-third, and the districts lying on both sides of the Suir as far as the gate of Waterford. The one-half or one-third of the desperate battles, the hard conflicts and the irresistible irruptions of the Geraldines at this time, cannot be enumerated or described. *At this period it was com-*

¹ *View of the State of Ireland*, p. 524. Thom's *Collection of Tracts and Treatises*.

*monly said that the lowing of a cow or the voice of the ploughman could scarcely be heard from Dun-Caoín to Cashel in Munster."*¹

Our astonishment at this mode of writing history is increased when we learn from undoubted sources that years before the Desmond rebellion, and before Spenser came into Ireland, Munster was a desert. In 1567 Sir Henry Sidney made a tour of eleven weeks and two days through that province. Part of the report he made to the Queen on what he saw there is given below, Mr. Brewer makes some remarks on this report, which deserve the attention of all who wish to understand the real causes of the miseries of Ireland at that time. "If any Englishman imagines that these excesses were occasioned by the conquest of Ireland—that the disorders and oppressions he is so apt to deplore were due to the stern and unjust rule of his forefathers—let him ponder over the following extract. There would be no difficulty in multiplying evidence of a similar kind. History has often been unjust to the conquerors as well as to the conquered; it is never more unjust than when it represents the sufferings of Ireland as arising exclusively from the methods adopted by this country to bring it to a sense of order and good government.

"As touching the estate of the whole country, for so much as I saw of it, having travelled from Youghall to Cork, from Cork to Kinsale, and from thence to the uttermost bounds of it towards Limerick, like as I never was in a more pleasant country in all my life, so never saw I a more waste and desolate land, no, not in the confines of other countries, where actual war hath continually been kept by the greatest princes of Christendom;

¹ Four Masters, p. 1,784.

and there heard I such lamentable cries and doleful complaints made by that small remain of poor people which are yet left, who (hardly escaping the fury of the sword and fire of their outrageous neighbours, or the famine which the same or their extortious lords hath driven them into, either by taking their goods from them or by spending the same, by their extort taking of coyne and livery) make demonstrations of the miserable estate of that country. Besides this, such horrible and lamentable spectacles there are to behold, as the burning of villages, the ruin of churches, the wasting of such as have been good towns and castles, yea, the view of the bones and skulls of your dead subjects, who, partly by murder, partly by famine, have died in the fields, as in troth hardly any Christian with dry eyes could behold. Not long before my arrival there, it was credibly reported that a principal servant of the Earl of Desmond, after that he had burnt sundry villages and destroyed a great piece of a country, there were certain poor women sought to have been rescued, but too late, yet so soon after the horrible fact committed as their children were felt and seen to stir in the bodies of their dead mothers; and yet did the same earl lodge and banquet in the house of the same murderer his servant after the fact committed.”¹

Let us turn for the present from Mr. Lecky's narrow and misleading pages and learn from the Irish annalists, who compiled their narrative in their native tongue far away from English influence in the wilds of Donegal, the real causes of the desolation of Ireland, not only in 1600, but for 200 years before that period.

¹ *Carew Manuscripts*, iii., p. 57. Hamilton, *State Papers*, 1, p. 330.

CHAPTER III.

A RETROSPECT.

AT the commencement of the fourteenth century—that is about the year 1300—the English rule appeared to be consolidated in Ireland, and English influence was predominant in the country. Throughout the whole of the preceding century the supremacy of the English kings had been acknowledged in every corner of the island. During this period the Crown claimed and exercised supreme authority over all things secular and ecclesiastical. The whole realm was reduced into counties, though not so numerous as they afterwards became from subdivision.¹ The writs of the king were current throughout them, his justices held their pleas, and his sheriffs executed them. Irish nobles obeyed the royal commands; and, when summoned to help their liege lord in his wars, responded to the call. From the invasion of Henry II., the Crown claimed the disposal of all ecclesiastical dignities, and exercised this power even in those parts of Ireland accounted the most Celtic.² The country was comparatively peaceful and its government was self-supporting; and, as the plainest evidence of the tranquillity and prosperity of the kingdom, the English treasury was enriched by

¹ Answer to Sir Richard Bolton by Mayart, Justice of the Com. Pleas in Ireland. Harris, *Hibernica*, p. 75. Introduction to Clyn's *Annals of Ireland*.

² Stokes, *Ireland and the Anglo-Norman Church*, p. 313.

contributions from Ireland.¹ The relation of the English sovereign to the Irish lords and prelates is well shown by an appeal of the King of Connaught, and by Papal letters. In 1240, O'Connor, King of Connaught, wrote to Henry III. as a subject, praying for redress of certain injuries done to him and the church of Elphin by Walter de Burgo. In this letter O'Connor says: "We humbly beseech you as you desire to preserve the land of your son"—Edward I., to whom Henry had made over Ireland—"free from hostile incursions, to command the Lord Richard de Rapella and your beneficent council in Ireland, to compel the said Walter to make compensation for the wrongs done to us and the church of Elphin. Be assured that we have never failed in our faithful service² to you or your son, and that we shall never do so whatever solicitations thereto may be made to us³." Four years later letters of protection, to last until the arrival of the king in Ireland, were granted to O'Connor.⁴ The Pope evidently considered that the king of England was possessed of the same rights and privileges over the Irish church that he exercised over that of England. In 1228 he asked Henry to grant to Nicholas Archbishop of Armagh possession of the temporalities of his See.⁵ In 1245 he confirmed the king's privileges and immunities over the churches of England and Ireland.⁶ In 1255 he prayed the king to show himself favourable to the Archbishop of Armagh and to give no ear to his detractors.⁷ And in 1260 he exhorted Edward to defend the Dean of Cashel against his Archbishop who

¹ Introduction to Clyn's *Annals*.

² "Fideli servitio."

³ *Litera Fedlimini O'Connor Regis Conactiæ ad Henricum Regem*. Rymer, i., p. 391.

⁴ *De protectione pro Rege Conactiæ*, *Ib.*, p. 429.

⁵ *Ib.*, p. 305.

⁶ *Ib.*, p. 435.

⁷ *Ib.*, p. 538.

had deprived the Dean of his church and imprisoned him.¹

But the supremacy of the English Crown in Ireland was almost destroyed by the invasion of Edward Bruce which took place in 1315, about a year after the battle of Bannockburn. Edward landed in Larne Lough in the North with an army of six thousand men, and was immediately joined by the O'Neills. The united forces marched to Dundalk, which was burned, and the neighbouring parts laid desolate. At Atherdee, not far from Dundalk, the inhabitants—men, women and children—who had taken refuge in the church, perished in the flames. Bruce wintered in Westmeath, whence he advanced through Leinster, and then returned to Ulster after defeating the English in many battles—his own troops having suffered greatly from the dreadful famine of 1316. Towards the close of this year, Robert Bruce arrived with reinforcements from Scotland. In the spring of 1317, the two brothers, at the head of twenty thousand men—Scotch and Irish—mercilessly ravaged Ireland from Carrickfergus to Limerick. In the words of Friar Clyn, a contemporary, “they passed through the whole country as far as Limerick, burning, slaying, devastating, sacking towns, castles, and even churches, both going and returning.”² After the expedition, Robert Bruce returned to Scotland, leaving the army under the command of his brother.

In the following year the barons of Meath and Louth, under the command of the celebrated John de Bermingham, gave him battle and defeated him near Dundalk, when Bruce and his chief officers were slain.

¹ Rymer, i., p. 700. See also the curious case between Edward I. and the Bishop of Down, Ware i., p. 199.

² “Comburendo, occidendo, depredando, spoliando villas, castra et etiam ecclesias eundo et redeundo.” Clyn's *Annals*, sub ann., p. 1,316.

The horrors of this invasion long dwelt in the memory of the Irish people. Its devastating effects and the universal misery caused by it are brought home to us by the words of the Irish annalist: "He [Bruce] rashly gave them battle, and was therein slain himself, as is declared, to the great joy and comfort of the whole kingdom in general, for there was not a better deed, that redounded more to the good of the kingdom, since the creation of the world and since the banishment of the Fine Fomores out of this land, done in Ireland than the killing of Edward Bruce; for there reigned scarcity of victuals, breach of promises, ill performance of covenants, and the loss of men and women throughout the whole kingdom for the space of three years and a half that he bore sway, insomuch that men did commonly eat one another for want of sustenance during his time".¹

The effects of this invasion were disastrous socially and politically. The whole framework of Irish society was thrown into confusion. Respect for the central government was weakened, the authority of law and order was impaired, and the arbitrary power of the local chiefs over their dependants was enormously increased. It was from this period that the Anglo-Irish nobles began to renounce their allegiance, and to adopt the laws, language, dress and institutions of the natives. Both they and the Irish chiefs relapsed into the barbarism of anarchy and ceaseless contention. England was at this time engaged in a war with Scotland, and a Scotch war was even then certain to be followed by a conflict with France. Accordingly the long contest, which has been designated the Hundred Years' War, broke out a few years later, viz., in 1336, and the English sovereign saw himself powerless to maintain law

¹ *Annals of Clonmacnoise*, translated in 1627 by Connell M'Geoghegan. Four Masters, p. 521.

and order throughout the whole of Ireland. He therefore abandoned the prospect of reducing the Irish and degenerate English lords to obedience, and adopting a purely defensive policy, determined to limit English laws and customs to the small district which was subsequently known as the Pale. This was effected by the Statute of Kilkenny¹ in the fortieth year of Edward, that is, in 1366, and the whole of Ireland, outside the four home counties, was left to be governed by Irish chiefs and English barons who had renounced their civilisation. The inability of the English Kings to interpose a mitigating influence in the Irish dissensions, was prolonged by the Wars of the Roses to the reign of Henry VIII., who, as the representative of both branches of the royal house, was the first sovereign that for a hundred years held the throne by an undisputed title. Henry again assumed the sovereignty of the entire island. By conciliation and express agreements with the chiefs, both native and Anglo-Irish, he reduced the general anarchy to some degree of order. By these agreements the chiefs universally recognised the king as their liege lord, undertook to hold their lands from him, and renounced the usurped authority of the Roman Pontiff.² But unfortunately the English Reformation had brought with it troubles within the kingdom and dangers from without. Excommunicated by the Pope, and engaged in alternate wars with France and the Emperor, Henry had his hands too full to complete the pacification of Ireland. From the accession of his daughter, Elizabeth, we may date the active operations of the great conspiracy between the Popes and the Catholic Powers to subdue England and to extirpate the reformed religion. Ireland was the

¹ See the admirable analysis of this Statute by Mr. Richey in the ninth chapter of his *Irish History*.

² Richey, p. 363. *Carew Manuscripts*, iii., p. 16. Introduction.

weak point in her dominions, and against it the earliest and latest attempts of the confederates were directed. There was not an hour in the life of the great Queen that was free from the hostile machinations of the Popes and the kings of Spain. At the very commencement of her reign, as early as 1561, a Papal legate was despatched to Ireland to deny her title to the Crown and to stir up a rebellion against her.¹ In 1570, Pius V. issued his bull declaring her to be the servant of wickedness, and forbidding her subjects, under the awful sanction of anathema, to obey her laws. In 1578, Gregory XIII. equipped at his own expense an expedition to Ireland, and gave the command of it to an adventurer named Stukely, whom he created Marquis of Leinster. In 1579, he organised another invasion of Ireland, and sent with it a Papal legate, Sander, carrying a bull which termed Elizabeth the enemy of God and man, and contained a plenary indulgence to all who should fight against the English heretics. In 1580, a great league was formed between the Pope, the King of Spain, the Duke of Tuscany, and the Knights of Malta for a triple invasion of England, Ireland and Scotland,² and in the same year a separate Papal expedition, consisting of five ships of the largest class, full of soldiers and munitions of war, and commanded by a Papal officer, landed at Smerwick. In 1601, Clement VIII. encouraged, by every means in his power, the rebellion of O'Neill, and when a Spanish expedition, on a great scale, arrived in Kinsale, its generals at once issued a proclamation, calling upon the Irish to rise in the name

¹ Note of the Consultation held at Greenwich, May 1, 1561. Tierney's *Dodd*, ii., append. 322.

² State Papers, Venetian, vii., p. 630. Simpson's *Life of Campion*, 230. The terms of this league were known in Ireland in the same year, and were published at Waterford by one Eve. Cox, i., p. 267. *Carew Papers*, ii., p. 288.

of the Pope. Impeded and harassed on every side by conspiracies, rebellions and invasions, it was not until the Spanish Sea power was destroyed by the defeat of the Armada in 1588 and the terrible losses of the Spanish navy in 1596 and 1597, that Elizabeth was able to give an undivided attention to Ireland. The insurrection of Desmond in the South and of O'Neill in the North forced her to undertake the conquest of the whole country. The old system of separate incursions to reduce individual chiefs to obedience was given up. Permanent garrisons were maintained in localities as they were won. The fiery energy of the Irish, wasted among clans that had no cohesion and no common aims in view, yielded to the discipline and superior arms of the English. The last hopes of the chiefs to maintain their petty dynasties were dissipated by the defeat of Kinsale and the subsequent surrender of the Spaniards in 1602.

When Edward III. was compelled to confine his Government to the Pale, the Irish assumed the offensive, reoccupied the estates of the English, and perpetually assailed the districts still loyal to the Crown. The result was that the whole island, except four counties, fell into the possession of ninety independent princes, sixty native and thirty Anglo-Irish, who exercised absolute power and knew no law except their own will. The country under their sway became one scene of intestine wars, murderous forays, devastations and family contests. The Four Masters present us with a vivid picture of the sufferings of all classes. One can hardly open a page of their narrative at random that is not stained with blood. It is the saddest record of crime and savagery existing in the world. General statements are justly received with suspicion, but facts and details make an indelible impression. A few scenes taken from these annals, so late as the sixteenth

century, will enable us to judge of the state to which Ireland had been reduced by the universal anarchy. These scenes will illustrate the effects produced by family feuds, plundering incursions, captains' first expeditions and tribal wars. They are given in the very words of the annalists:—

1543. “Kedagh O'Melaghlin was inaugurated chief of the Clann-Colman in opposition to Rury O'Melaghlin. The Clann-Colman was not happy during the period of these two, compared to what they had been during the time of Felim; for during the time of these two, war and devastation, cold and famine, weeping and clapping of hands prevailed in the country. Rent and tribute were levied for each in Magh-Corrain, and though their career was but of short continuance, they nevertheless wrought innumerable evils. A nocturnal irruption was made by Rury and his kinsmen into the plain of Gailinn in Delvin and burned and plundered (*sic*) the plain. Melaghlin Balbh O'Madden and Art Mac Coghlan pursued them, and gave them battle at the church of Gailinn, where Cormac O'Melaghlin, the brother of Rury, and thirteen chiefs of his people were slain or drowned.”¹

1559. “A captain's first expedition was made by O'Carroll . . . against Mac-I-Brien of Ara. . . . On this occasion, O'Carroll at once devastated and totally ravaged the country from Bel-an-atha to Muilleain-Ui-Ogain. On the same day he slew Mac-I-Brien's brother. . . . Mac-I-Brien afterwards made a muster of his friends to go and avenge this dishonour upon O'Carroll; and as soon as his lordly bands had assembled around him, he marched forwards resolved to ravage the territory of Hy-Caerin on that expedition. Destiny had so disposed affairs for O'Carroll

¹ Four Masters, p. 1,483.

that he was on the summit of a hill in Hy-Caerin listening to the country around him; and it was from the foot of this hill on which O'Carroll was stationed that Mac-I-Brien sent forth a body of his scouts to plunder the districts. When his youths had sallied forth from him, he saw O'Carroll¹ approaching him in battle array and in fighting order; and not one of those who were there before him was able to withstand his strength or escape by flight. Every man of Mac-I-Brien's people able to bear arms was slain."²

1567. "O'Neill mustered a very numerous army to march into Tyrconnel against O'Donnell . . . to plunder and ravage the country, as he had done some time before when O'Donnell³ was not able to govern or defend his principality or country in consequence of his own infirmity and ill health, and the strife and contention of his sons. . . . O'Donnell . . . despatched messengers to summon such of his chieftains as were in his neighbourhood. . . . Nor was he long in a depressed state of mind when he perceived numbers of his faithful people advancing towards him. . . . The troops of the Kinel-Connell rushed vehemently and boldly upon the army of O'Neill . . . they proceeded and continued to strike, mangle, slaughter, and cut down one another for a long time, so that men were soon laid low, heroes wounded, youths slain, and robust heroes mangled in the slaughter. In short the total of O'Neill's army that were slain and drowned in that battle was 1,300; some books however state that O'Neill's loss in this battle was upwards of 3,000 men. . . . There were not many houses

¹ "That is," says the editor of these annals, "O'Carroll did not make his descent from the hill until he perceived that Mac-I-Brien had sent forth the main body to plunder the district".

² Four Masters, p. 1,573.

³ The father of the O'Donnell against whom O'Neill marched on this occasion.

or families from Cairluin to the river Finn and to the Foyle, who had not reason for weeping and cause for lamentation.”¹

1573. “A war broke out among the Dalcassians² themselves. On the one side in this war were Donnell, the son of Conor O’Brien, and Teige, the son of Murrough O’Brien. On the other were the sons of Donough O’Brien, *i.e.*, the Earl and Turlough . . . Teige, the son of Conor, to wreak his vengeance upon Teige, the son of Murrough, gathered the soldiers and disaffected gallowglasses of the Geraldines, and brought them with him across the Shannon to assist the sons of Donough O’Brien; and these were joined by numbers of the Butlers and of the MacSweenys, and by the forces of the Earl. All these forces met together at a place . . . where the river Forgas mingles with the sea. From thence they marched to wreak their vengeance upon the inhabitants of the upper part of Thomond, through the eastern part of the territory of Hy-Cormaic and the confines of Hy-Fearmic; and the cries and shrieks of the unfortunate people whom they plundered gave warning of their march in every place through which they passed. They then proceeded north-west by the confines of Corcomroe and Burren, and despatched through the country marauding parties, who collected to one place all the spoils of the country before night. They afterwards pitched a camp, but it was not a place adapted for rest, on account of the crying and wailings of women and widows, who were bewailing their wrongs after being plundered. When Donnell, the son of Conor O’Brien, and Teige, the son of Murrough, heard of the coming of this great army to oppose them, they immediately mustered all the forces they could and met at Carn-mic-

¹ Four Masters, pp. 1,611-1,617.

² The O’Briens.

Tail. . . . Teige, the son of Conor, and Turlough O'Brien arrived with their forces on the summit of the hill, and formed themselves into such array for fighting as they themselves considered proper. The other army and the inhabitants of the country were pursuing them up the steep and rugged side of the hill on which they were; but before they could come within shot of them the constables of Teige and Turlough were seized with trepidation, etc., so that they immediately took to flight. The others proceeded to mutilate, hack, and slaughter them by twenties and thirties, by twos and threes on the route from thence to Beann-Formala. . . . Noisy were the ravens and carrion crows and other ravenous birds of the air, and the wolves of the forest, over the bodies of the nobles slain in the battle on that day."¹

1581. "John Oge and Con, sons of etc., proceeded with an army into Breifny O'Reilly, and plundered and totally devastated every part of Breifny through which they passed. The son of O'Reilly etc., and a large muster of the forces of the country, who had come in pursuit of the spoils, overtook them. The Kinel Owen² were not the better of that day's attack for many years, for the Reillys recovered the booty and defeated them. . . . A hosting was made by O'Neill . . . to take vengeance on the Reillys for this battle. He pitched a warlike, extensive, well-fortified camp in the very centre of Breifny O'Reilly, and then proceeded to destroy the country, including cattle, corn and mansions."³

1581. "Great dissensions arose between O'Donnell etc., and the son of his brother Con etc., upon which Con went over to the side of O'Neill etc., to wage war against his kinsman. He complained of grievances, and

¹ Four Masters, pp. 1,667-1,673.

² The O'Neills.

³ Four Masters, p. 1,765.

reminded him of the old feuds that had existed some time before between the Kinel-Connell and the Kinel-Owen, so that he prevailed upon O'Neill to muster a numerous force to come to his aid against O'Donnell. . . . When O'Donnell was apprised of this, he immediately assembled all the forces that he could, although he was ill-prepared and disorganised, for he was subject to the Queen of England, and his friends were till then at strife with him, so that he was not prepared for war or hostilities. . . . O'Donnell advanced with his forces vehemently and boldly towards the camp of O'Neill, without waiting or delaying to draw up his men into any regular order or array. . . . They now came on with boisterous vigour, regarding the Kinel-Owen as of little account; . . . a furious and desperate battle was fought between them; and the celebrated proverb was verified on this occasion, *i.e.*, lively is each kinsman when fighting against the other. O'Donnell and his forces were at length defeated, and a great many of his people slain."¹

1582. "The Seneschal before mentioned² came about the ensuing Allhallowtide into the western part of Roche's country. The two young sons of Roche, namely, John and Ulick, and all the inhabitants of the country, rose up at their shouts and gained the first battle over the traitors. They proceeded to pursue them beyond the boundary of the territory into the vicinity of their fastnesses in the woods and forests; but the plunderers turned upon the two sons of Roche and slew them and all those who were about them; and though a slaughter does not usually take place without some person escaping, a very small number only of those who had come in this pursuit escaped, for whole tribes, families, heads of districts, servitors and

¹ Four Masters, pp. 1,765-69.

² The head of a branch of the Desmond Fitzgeralds.

soldiers of the territory were slain. The constables of the Clann-Sweeny were also slain; in short, not more than fourteen men of the people of the territory who bore arms outlived this engagement; so that Roche and Maurice had afterwards to bring strangers to inhabit the territory.”¹

1592. “He (the Erenagh) inaugurated Hugh Roe, chief of the country, by order and with the blessing of his father; and the ceremony of conferring the name was legally performed, and he styled him O'Donnell on the third day of May. O'Donnell, Hugh Roe, did not permit those few troops he had then with him to disperse, but marched them both horse and foot into the neighbouring parts of the territory of the race of Eoghan, the son of Niall. No notice or forewarning of this movement had reached the others, for they did not think that he had perfectly recovered from his confinement, yet they did not intend to fly before the Kinel-Connell, neither indeed had it been their wont to do so from a remote period. By this small army of the Kinel-Connell the neighbouring parts of Kinel-Owen were plundered and burned; every one fit to bear arms whom they caught was put to the sword and slaughtered. The army also seized upon many spoils, and then returned back to their own territory.”²

1599. “O'Donnell, etc., had resided at Ballymote, in the county of Sligo, from the gaining of the battle of Ath-Buidhe, in the beginning of August, to the festival of St. Bridget in this year. He felt it long to have remained during this time without going into some enemy's territory, but he knew not to what particular place he should go; for he had not left a quarter, limit, wilderness or recess in the whole province of Connaught the inhabitants of which he had not plundered, or from which he had not

¹ Four Masters, p. 1,777.

² *Ib.*, p. 1,930.

taken pledges and hostages, save Thomond alone. Wherefore at the time aforesaid he ordered an army to be mustered to proceed into Thomond. . . . When all these chieftains had come with their forces to Ballymote to O'Donnell, they formed so numerous and vast an army that he sent a force into the territory of MacWilliam, while he himself should be in Thomond. . . . This force searched and mightily overran the country from the eastern extremity of Costello to Umhall of Clann-Gibbon, and during that excursion took the island of Leath Ardan and slew eighteen of the chief men of the Clann-Gibbon, besides many other persons. They carried off great preys, plunders and spoils on their return from the territory. As for O'Donnell and his forces, they marched forwards to proceed into Thomond, and made no delay until they arrived, without being observed, inside the river in Clanrickard, and in the evening they pitched an extensive camp of armed heroes at etc., between Kilcolgan and Ardrahin. . . . Thus they remained until midnight, when O'Donnell commanded them to rise up without delay to march into the neighbouring territory before the day should break upon them. They rose up forthwith and proceeded straight onwards by each direct road until by morning twilight they arrived . . . in Thomond. Here they formed marauding parties, and sent one of them northwards into Burren . . . and another party southwards. . . . Maguire, with a strong body of his forces, went forth to Inchiquin. O'Donnell himself proceeded, with the flower and main body of the army through etc., and before midday arrived at etc., in the upper part of Dal-glais. . . . Thither the spoils of all Kinel-Fearmic from Deseart to Glencolumbkille and to Tulach-Chumann, and from Cluain-Sailchearnagh to Leim-an-eich were brought to O'Donnell. . . . O'Donnell remained that night

encamped at etc., and left it before noon on the following day, and he then proceeded to Kilfenora, in the cantred of Corcomroe. From thence he despatched marauding parties southwards, . . . who returned to him to Kilfenora in an easterly direction loaded with spoils and booty. . . . When O'Donnell saw the surrounding hills covered and darkened with the herds and numerous cattle of the territories through which his troops had passed, he proceeded on his way homewards over the chain of rugged-topped mountains of Burren."¹

1599. "Some gentlemen of the MacMahons of Oriel, with 100 soldiers, were hired by O'Carroll Calvagh, the son of etc., in the spring of this year; and at the time that their wages should be given them, O'Carroll with his people went to them by night and slew them on their beds and in their lodging-houses. He hanged some of them from the nearest trees. The party of one village, however, made their escape in spite of O'Carroll."²

1600. "On leaving the country O'Neill passed over the upper part of Slieve Bloom westwards, and sent forth three parties in one day to ravage Ely, because of the enmity he bore O'Carroll, Lord of Ely, . . . and in revenge of the base murder and intolerable massacre which he had committed upon the gentlemen of the MacMahons of Oriel, whom he had under his protection and in his service, as we have related in the preceding year. The evil destiny deserved by that wicked deed befel the territory of Ely on this occasion, for all its movable possessions, wealth and riches were carried away, and nothing left in it but ashes instead of its corn, and embers in place of its mansions. Great numbers of their men, women, sons and daughters were left in a dying and expiring state."³

¹ *Four Masters*, pp. 2,097-2,103.

² *Ib.*, p. 2,137.

³ *Ib.*, p. 2,147.

The Anglo-Irish nobles were quite as savage as their Celtic brethren. The cases of the first Earl of Clanrickard, surnamed Ulick of the heads, of the Seneschal Fitzgerald, and of the Earl of Desmond have already been given. A letter from Rickard, second Earl of Clanrickard, detailing his own actions still survives. After stating that he had slain Donald and Dugald, cousins of Argyle, he goes on: "And after being at liberty I did, within one twelvemonth, hang my own son, my brother's son, my cousin german's son, and one of the captains of my gallowglasses, besides fifty of my own followers that bare armour and weapons; which the Archbishop of Tuam, the Bishop of Clonfert, and the whole corporation of the town of Galway may witness."¹ The following is taken from *Pacata Hibernia*²:—

1600. "The twenty-seventh [April], as Dermot Odwire informed the president by his letters, Redmund Burke with 600 men entered into his country to burn and prey the same, which to effect he divided his forces into three sundry parts. Odwire having assembled as many men as that short warning would permit, fell upon one of the divisions aforementioned, which consisted of 200 foot, of whom he slew 120 and many hurt. In revenge whereof, Redmund Burke upon the sixth of May following, having gotten as many men as he could assemble, entered the second time into the aforesaid country, where he slew man, woman and child, burnt all the houses, castles excepted, and drove away all the cattle of the country."

When we speak of a country as being barbarous, what do we mean? We justly call that country barbarous where tribal wars are interminable and ferocious; where no man, from the most powerful chief to the meanest clans-

¹ *Catalogue of Irish MSS. in the British Museum*, by Standish Hayes O'Grady, p. 375.

² I., 59.

man,¹ is sure of his life or possessions for twenty-four hours ; where there is no compulsory criminal law and therefore no conception of crime and punishment ;² where devastations and burnings are perpetual ; where the ties of blood are disregarded ; where the material life is sordid, and letters and arts unknown ; where all progress is barred by its institutions and customs ; where industry is scorned ; where the teachings of morality are ineffectual ; where marriage is despised and arbitrary separations from wedlock are usual. All these symptoms are observable in Ireland up to the beginning of the seventeenth century. Nowhere in the world was the amending hand more required. If the Papal See had renounced its political doctrines of deposing princes who differed from it in belief, and its purpose of restoring religion by violence or rebellion ; and if the Jesuits and missionary priests had limited themselves to their spiritual duties instead of preaching an unCatholic mixture of religion and treason, that hand would have had full scope. The Irish chiefs would soon have learnt the things which belonged to their peace ; the Elizabethan conquest would have been followed by tranquillity and prosperity, and would have introduced a system of purer morals, humane customs, and healing laws.

We are informed that the policy of England during the sixteenth century was a policy of extermination, and that her Government desired the confiscation of Irish

¹“There can be little doubt but that many of the innumerable depositions and assassinations of chiefs sprang from the Septs’ hope that a change of ruler might lighten their burdens, which must in many instances have been well-nigh intolerable.” *Catalogue of the Irish MSS. in the British Museum*, p. 365.

²The Brehon law did not come into operation until the criminal voluntarily submitted. There was therefore no punishment for a native who murdered an Englishman any more than for an Indian who scalped a white man. This was the reason why the killing of an Irishman was not by the English law felony, but punishable only by a fine.

land.¹ The former assertion may be dismissed with the feeling which arises when we are told such fables as that the Gunpowder Plot was a "State trick of Cecil,"² that there were no massacres in 1641, and that the rebellion of 1798 was wantonly provoked for the purpose of carrying the Legislative Union. The latter is equally unfounded. Probably there never was a Government which showed such unwillingness to confiscate the possessions of those who rebelled against it as the English Government in Ireland. Such was its forbearance to exercise its just rights, that insurrection was almost certain to be followed by restoration. Rebellion was often a successful policy. "What, thou fool," said an Irish chief to one whom he found slow to join in an insurrection, "thou shalt be the more esteemed for it. What hadst thou if thy father had not done so?" The editor of O'Sullivan's history mentions one chief who received from Elizabeth "five general pardons at different times for treason".³ Of the seventy-two chiefs and captains who rose in the general insurrection, 1595-1603, can one be mentioned whose lands were confiscated? Was not the whole of Ulster restored to the O'Neills, the O'Donnells, the O'Kanes, the O'Doghertys, etc., who had joined in the same rebellion? On the accession of James in 1603, he published a general Act of indemnity and oblivion, extinguishing all offences against the Crown, and granted special charters of pardon to "many thousands" of those who had been engaged in the late insurrection.⁴ "The greatest latitude of assertion," says the Rev. Dr. O'Connor, "with the least shadow of proof is observable in almost all modern writers who have meddled with Irish history."

¹ Lecky, ii., p. 99.

² Curry, one of the chief authorities of the school to which Mr. Lecky belongs makes this statement. *Review of the Civil Wars, etc.*, i., p. 79.

³ *Hist. Catholice Compendium*, p. 89, note.

⁴ Preamble to the first Irish Statute passed in the reign of James. II. *James I.*, c. 1.

CHAPTER IV.

HOSTILITY OF THE ROMAN CATHOLIC BISHOPS, CLERGY
AND LAWYERS TO PROTESTANT KINGS DURING THE
REIGNS OF ELIZABETH, JAMES I. AND CHARLES I.

IF we may trust the lessons of history, a complete conquest, such as that of Elizabeth, leaves but little rancour and bad blood behind it. Like a convulsion of nature, it appears to weaken the remembrance of the past and to direct the minds of the conquered to the hopes of a future. A few years after the Norman conquest we find the native English crowding to the standard of William Rufus, and demanding to be led against some of his nobles who had risen in insurrection. The subjugation of Celtic Gaul occupied a period of nine years of general war, and cost a million of lives. But once the conquest was achieved, Gaul accepted her destiny, and, as a French historian¹ expresses it, laboured to transform herself and to become Roman. Within a marvellously short period her inhabitants adopted the language and civilisation of Rome, dedicated temples and altars to the Emperors and City, and shared in the glories of the empire.² Other examples readily suggest themselves; as that of Persia after its conquest by Alexander the Great; and in our own times, the loyal submission of the warlike Sikhs and their

¹ Amédée Thierry.

² As early as 12 B.C. an altar, dedicated to the city and Augustus, was raised near Lyons by the sixty peoples of Gallia Comata. Juvenal alludes to this altar in his first *Satire*.

perseverance in it during a time of unexampled temptation. How it came to pass that the Irish people, who were distinguished for their sympathy with other races, as shown by their memorable efforts to spread the Gospel of Christ in Scotland, the North of England, and Western Europe, refused to be reconciled with the English, and how, at the turning point of their national life, they chose the downward path towards discord and confusion, may be learned from a careful study of the interval between the Elizabethan Conquest and the Great Rebellion of 1641. The study is a melancholy one, for the backsliding of a people, endowed with so many noble and hopeful qualities, is one of the most pathetic incidents in the history of Europe. These years determined the fate of Ireland for many generations down to our own times.

There is no reason to doubt that, if the Irish branch of the great Celtic family had been left to itself, it would gladly have accepted a complete incorporation with the English people. But, unhappily, a foreign influence forbade the union and raised up a lasting wall of division between the two nationalities. The Popes claimed Ireland as their peculiar property, denied the title of the English kings, and exhorted their subjects to refuse allegiance and obedience to them. Their bishops and priests taught the people that the English sovereigns had forfeited their rights by heresy, that they were usurpers, and that it was necessary to salvation to fight against them. The pious Irish Franciscan, Father Walsh, declared in 1670, that all the troubles and afflictions of the Roman Catholics, both in England and Ireland, sprang from the seditious practices engendered by the politico-religious doctrines held by the Papistic members of their community, and that these doctrines were contrary to the Gospel, and

were subversive of all law and government. He gives in detail twenty-eight of the anarchical tenets which were taught in the foreign seminaries in which the Irish clergy then received their education. The series is too long to be here given in full; a few only of the doctrines are therefore quoted:—

By divine right the Pope is the Universal Governor of the world and the fountain of all jurisdiction, spiritual and temporal; to enforce his claims, he has the absolute power of the two swords.

He may depose all princes, and absolve their subjects from their oaths of allegiance, and from the antecedent ties of God and man.

He may command subjects to take arms against a prince excommunicated or deposed by him.

Antecedently to any judgment or sentence pronounced by the Pope, heresy does *ipso jure* incapacitate and deprive of the Crown and all other, not only royal but real and personal rights whatsoever.

A heretic King is a manifest usurper and tyrant, and is therefore *ipso jure* outlawed; and all his subjects are likewise *ipso jure* absolved from the ties of allegiance and obedience.

The Pope can suspend, correct, alter, or utterly abolish any royal or municipal constitution, custom or law in any state or kingdom.

All ecclesiastical persons, men and women, secular and regular, are exempt from the jurisdiction of temporal courts.¹

It is certain that the principles mentioned by Father Walsh were inculcated in the seminaries to which the Irish clergy then resorted, and were propagated by the Jesuits and missionary priests throughout England and Ireland. The schools in which the Irish ecclesiastics received their education were Douay,² Louvain, St. Omer, and the Spanish universities. Most of these institutions had been founded by the labours of Cardinal Allen and Robert Parsons—the respective heads of the two missionary

¹ “Address to the Catholics of England, Ireland and Scotland,” pp. 6-9. Prefixed to his *History of the Irish Remonstrance*.

² In 1578 the establishment of Douay was removed to Rheims, where it flourished for fifteen years under the patronage of the Guises and then returned to Douay.

bodies, the seminary priests and the Jesuits—who taught “that it is certain and of faith—that is, necessary to salvation—that any prince who deflects from the faith does instantly fall from all power and dignity by the very force of human and divine law.”¹ These tenets were upheld in their books by Stapleton, professor of divinity at Douay, and subsequently at Louvain; by Bristowe, prefect of studies at Douay; by Sander, Papal legate to Ireland in 1579; and by many others. Cardinal D’Ossat, who resided for twenty years at Rome, has left us an account of the politico-religious education furnished by these schools to the young men who attended them: “For this purpose” (to support the claims of Philip II. and his successors to the English Crown) “colleges and seminaries have been expressly established for English youths by the Spaniards at Douay and St. Omer. Young gentlemen of good families are received into these institutions, in order that they may influence their relations and friends in England. The principal aim of these schools has been to catechise, educate and rear young English gentlemen in the belief and firm faith that the late King of Spain² had, and that his family now has, the true right to the Crown of England, and that the furtherance of this claim would be advantageous to the Catholic religion, not only in England but throughout Christendom. When these youths have finished their secular studies in the Low Countries, they are removed to Spain in order that they may be

¹ For the sentiments of Parsons see Sir John Throckmorton, *Letters to the Catholic Clergy*, p. 129. For those of Allen, see his Letter on the betrayal of Daventry to the Spanish King, and his Admonition to the Nobility and People of England, 1687. Parsons compelled the English students in the Spanish seminaries to acknowledge the Infanta as their lawful Queen. *Calendar, State Papers, Domestic, Elizabeth*, 1601-3, p. 170. The same statement is made in the *Important Considerations*.

² Philip II. died in 1598. The letter of Cardinal D’Ossat was written after his death.

made thorough Spaniards. There they are instructed in philosophy and theology, and confirmed in the holy faith that the kingdom of England belonged to Philip II., and now belongs to his family. When the young men have gone through these studies, those of them who are considered to be the most hispaniolated and the firmest believers in the 'credo Espagnol,' are sent to England to spread that faith, to gain converts to it, to act as spies in the country, and to give information to the Spaniards of the readiest means of subjecting the kingdom to Spain¹." We have already had under our consideration the judgment of the universities of Salamanca and Valladolid, declaring that those Roman Catholics, who fought on the side of the English in the insurrection 1595-1603, were guilty of mortal sin, from which they could not be absolved until they had deserted.

The political and social changes, which followed the Elizabethan conquest and the settlement of the country by James, threw an immense increase of authority into the hands of the Roman Catholic hierarchy. The Irish chiefs, both native and Anglo-Irish, had been, during their tenure of power, but little troubled with religious scruples or dogmas. In the reign of Henry VIII., they vied with each other in renouncing the supremacy of the Pope. In their domestic wars they spared neither churches nor monasteries.² The eighth Earl of Kildare burned the Cathedral of Cashel, hoping, as he declared, that the Archbishop was inside the building. Shane O'Neill burned the Cathedral

¹ *Lettres du Cardinal D'Ossat*, 5, 50. Ed. 1708.

² *Non tantum exteri sed etiam indigenæ iniquiores olim fuerunt in vetera et sacra monumenta. Nam cum illi, sive inter se, sive etiam cum Anglis de summa rei bello contenderent, tanto ardore et impetu obvia quæque vastabant, ut neque ecclesiarum tabulariis, neque ipsis sanctarum reliquiarum scriniis parcerent ab incendiis.*" Routh, *Analecta Sacra*, 348. Dub. Ed., 1884.

of Armagh. When Desmond took the town of Youghall in 1579, he indulged his followers in sacrilegious excesses, which, according to a Roman Catholic author, brought down the vengeance of God upon himself and his family. The churches, and whatever was sacred, were polluted and defiled by his soldiers, who brought everything to desolation, making havoc of sacred vestments and chalices.¹ The same author informs us that Hugh O'Neill, Earl of Tyrone, robbed and spoiled the monasteries of Timnalague and Kilcrea, and profaned other churches. But the power and consequence of the local chiefs fell with the disappearance of the tribal or clann system and the admission of their dependants into the immediate protection of the King; and the easy indifference of the Irish in religious matters vanished at the same time. Another order of men, brought up in the doctrines of Bellarmine, Suarez, Robert Parsons, Sander, Fitzherbert, etc., took the places of the tribal lords. The mass of the Irish people was utterly uncivilised and ignorant. Emancipated from the only subordination with which they had been acquainted, they naturally turned for guidance to their clergy. By the fall of the temporal nobility, the bishops were left the absolute masters of a people who had been lately subdued, who were unaccustomed to orderly habits, and who were suddenly placed under new conditions of life. The destiny and future prosperity of Ireland rested in the hands of these new leaders. If they had co-operated with and given a cordial assistance to the English Government in its efforts to introduce law and order, all would have been well. Ireland would have been spared the long series of calamities which were still in store for her, and which were connected

¹ *Theatre of Catholic and Protestant Religion*, quoted in *Phelan's Remains*, ii., p. 248. This book, Cardinal Moran says, was published in Paris, 1620.

together like the links of a chain, each preceding disaster necessarily entailing the subsequent one ; namely—the rebellion of 1641 with its attendant massacres ; the eight years of internecine war ; the conquest of Cromwell, and the forfeiture of their estates by the Roman Catholic nobility and gentry ; the attempt of the dispossessed proprietors to regain their estates in the reign of James II., with its tremendous Act of Attainder ; and the penal laws respecting status and property in the reigns of William and Anne.

But whilst we deplore the lamentable consequences of the refusal of the Roman Catholic bishops to support the English Government, we ought to give due attention to the reasons which produced it. History proper knows nothing of praise or blame, of indignation or justification. Its office lies wholly with causes and effects—to discover the former and to delineate the latter. These prelates were right from their own point of view. They were men of exemplary life, and sincerely desired what they considered the welfare of their country and of their Church. To them there was but one authority on earth—to interpret the oracles of God and to regulate the conduct of men. That authority had lately declared that it was divinely appointed “supreme over all nations and kingdoms to pluck up, to destroy, to scatter, to crush, to plant, and to build”.¹ Their line of action was dictated to them by the Papacy, which was opposed to the rule of a Protestant sovereign. They knew that for upwards of forty years

¹ “*Regnans in excelsis, cui data est omnis in cœlo et in terra potestas, unam sanctam Catholicam et Apostolicam ecclesiam, extra quam nulla est salus, uni soli in terris, videlicet, Apostolorum principi Petro, Petrique successori Romano pontifici, in potestatis plenitudine tradidit gubernandam. Hunc unum super omnes gentes et omnia regna principem constituit, qui evellat, destruat, dissipet, disperdat, plantet, et ædificet.*” Bull of Pius V. against Elizabeth.

before the accession of James I. the Roman Pontiffs had endeavoured to restore the Roman Catholic religion in England and Ireland by the weapons of the flesh ; and that they had struggled to dethrone Elizabeth and to prevent the accession of James, merely because those princes differed from them in belief. The lessons taught the Irish bishops by their Supreme Pastor could not be mistaken or forgotten. During the whole reign of Elizabeth, the Popes had treated her as if she had been an outcast from the community of Christian princes. They invaded her territories, instigated conspiracies and civil wars amongst her subjects, organised combinations of the Catholic Powers to attack her, and called upon every Roman Catholic in her dominions, under the awful sanction of an anathema, to offer a perpetual hostility, to her and her Government. Clement VIII. had only lately manifested his opposition to the succession of a Protestant in the person of James. In 1602, he sent three briefs to his Nuncio in the Low Countries, to be published in England as soon as that ecclesiastic should be informed of the death of Elizabeth. One was addressed to the clergy, one to the nobility, and the third to the people.¹ By these briefs the estates of the realm were enjoined to bind themselves to receive as their king a Roman Catholic named by the Pope, and were forbidden to aid any competitor who would not restore the Catholic religion, and pay obedience to the Papal See. Two of the briefs, together with the Pope's letter to the Nuncio, were actually sent to Garnet, the Superior of the Jesuits in England. The Papal letter ordered the Nuncio "whenever that miserable woman should die" to spare no labour to certify the event to Clement, and to "divulge the briefs in England by his

¹ *Lettres du Cardinal D'Ossat*, v., p. 55.

authority and in the Pope's name, whose assistance should not be wanting". Garnet subsequently affirmed that he had destroyed the briefs on the peaceable accession of James, but not until he had shown them to Catesby and others who were shortly afterwards engaged in the Gunpowder Plot. The effects of these briefs were immediate. In England, they produced two conspiracies of the Roman Catholics in the first year of James's reign, and the Gunpowder Plot in the third. Catesby, the originator of the plot, when remonstrated with as to his plan, declared "that, it being lawful by the force of the briefs of the Pope to have kept King James out, it was lawful now to put him out".¹ In Ireland, where every motion and affection of the Papal Court was immediately known, the opposition of Clement to the accession of James produced a short-lived rebellion in the towns of Cork, Waterford, Limerick, Clonmel and Cashel, which might easily have assumed alarming proportions, and which required the advance of Mountjoy with an army, before those towns would acknowledge the title of James.²

That the Irish Roman Catholic bishops were, during the period under consideration, thoroughly disaffected, admits of no doubt. They all believed the tenet that the Pope possessed the absolute right of deposing princes and of absolving their subjects from their allegiance. Some, if not all, held that, as the English Kings had not observed the conditions prescribed in Adrian's gift to Henry II., they had forfeited their title to Ireland, which had reverted to the successors of the grantor. Routh, Bishop of Ossory, and Vice-Primate of Ireland, advanced this position in his *Analecta Sacra*. He says: "The hereditary

¹ Confession of Henry Garnet, *Jardine's Gunpowder Plot*, appendix.

² A brief relation of the Rebellion of the City of Cork. *Carew Papers* 1603-24. p. 7.

right of the English Kings to Ireland was derived from the Roman See, and depends upon the same conditions on which it was originally granted".¹ It is difficult to see how the Irish bishops could have dissented from these two tenets and yet have preserved their reverent obedience to the Roman See. The Popes had often put the first in practice, as in the case of Henry VIII. and Queen Elizabeth, and they always maintained that the conditions of the bull of Adrian IV. had not been kept. Thus Innocent X., in his instructions to his legate, Rinuccini, says that the conditions had been violated.² In 1626 Urban VIII. urged the Kings of France and Spain to join with him in an attack on Charles I., "because, in addition to the rights he had against that King as an enemy of the Catholic faith, he was possessed of a just title to Ireland which belonged in direct dominion to the Holy See".³ The Irish bishops, like all other Roman Catholic bishops, were bound to the Pope by "an absolute oath of fealty such as vassals made to their immediate lords".⁴ At their consecration they swore "to preserve and defend the royalties of St. Peter against all men; that they would not be concerned in counsel, act or treaty in anything prejudicial to the Pope, or his right, honour, state or power; and that they would obey all Papal mandates."⁵ As the Popes claimed Ireland as their peculiar property, its bishops must have furthered that claim by every

¹ Page 119; see also page 143.

² Aiazzi, *Nunziatura in Irlanda*, translated by Miss Hutton, with the title *Embassy of Rinuccini*, xxix.

³ Extracts from the *Life of Urban VIII.*, Tierney's *Dodd*, v., append., p. 358. Tierney also gives Urban's letters to the French and Spanish Kings, urging them to attack England.

⁴ Sir John Throckmorton, *Letters to the Catholic Clergy*, p. 26.

⁵ The oath is given in Walsh's *Hist. of the Irish Remonstrance*, p. 19, and in Throckmorton's *Letters to the English Catholic Clergy*, p. 27.

means in their power. During the reign of Elizabeth they were the principal means of communication between the insurgents and the King of Spain. Many of them were in the interest and some of them in the pay of the Spanish Monarch. Oviedo, Archbishop of Dublin, was the messenger between Desmond and Philip II., and as he says himself, in a letter to Desmond, "prætermitted nothing which might tend to your profit as well as to that of our Catholic master".¹ Cornelius O'Melrian, Bishop of Killaloe, "acted on the Continent as the representative of the Earl of Desmond and the other confederated Irish leaders".² James O'Hely, Archbishop of Tuam, was the medium between O'Donnell and Philip II. to demand the succours which that King had promised to the northern rebels.³ Owen MacEgan, Bishop of Ross and Apostolic Vicar, when the Spaniards invaded Ireland, excommunicated all those who should give quarter to the Queen's soldiers, and as soon as any prisoners of his own religion were brought before him "he caused them first . . . to be confessed and absolved, and instantly in his own sight would he cause them to be murdered".⁴ We can observe no change in the sentiments of these prelates after the accession of James I. They still bestowed their affections on foreign princes rather than on their own sovereign. In 1617 they presented an address to the Spanish king, and attempted to restore their old connection with that monarchy. "Calling to mind," they wrote, "the hereditary zeal with which your Majesty is accustomed to propagate and promote the Catholic faith, we, though afflicted and distressed, are yet raised to some

¹ *Pacata Hibernia*, i., p. 200.

² Bishop, now Cardinal, Moran. Introduction to the *Analecta Sacra*, p. 21. Carte, Introduction, p. 57.

³ O'Sullivan, *Hist. Cathol. Compendium*, p. 161.

⁴ *Pacata Hibernia*. ii., p. 663.

hope of comfort when we turn our eyes to that sceptre and diadem, from which both we and our fathers have received solace in tribulation and shelter in the storm.”¹ About the same time Routh published abroad and anonymously his *Analecta Sacra*. There probably never was a more seditious book issued under the name of religion, or one containing more malicious accusations against a Government. Two dedications were prefixed to this work, one to the Emperor and the orthodox kings and princes, the second to the Prince of Wales. In 1626, Peter Lombard, Archbishop of Armagh, presented to Pope Urban VIII. his *History of Ireland*, in which the author maintained that “Ireland was the ancient property of the Holy See, and that its inhabitants rejected any temporal sovereignty but that of the Roman Pontiff.”² Two years later Heber Mac Mahon, successively Bishop of Clogher and Down, was privy to an intended general rebellion, which was to be supported by French forces. The year 1628 was fixed on for the attempt, but the unexpected protraction of the war in Italy engrossed the attention of Richelieu, and the enterprise was abandoned.³ In 1634, the same prelate requested Sir George Radcliffe to grant him a private interview. On obtaining it, he fell upon his knees and confessed “that there was a general rising designed in Ireland to be seconded and assisted from abroad, and that he himself had been employed several years on that account in foreign Courts, soliciting supplies to carry on that work for the good of religion.”⁴ But what concludes the question is the conduct of the

¹ *Analecta Sacra*, p. 270; *Hibernia Dominicana*, p. 636.

² Dr. O’Conor, *Hist. Address*, i., p. 91.

³ *Confession of Lord Maguire*.

⁴ Carte, i., p. 155. Clarendon, *Irish Rebellion*, 187. Dr. O’Conor, *Hist. Address*, ii., p. 208.

Irish bishops on the breaking out of the rebellion in 1641. Five months after that event, the Synod of the Province of Armagh declared the rebellion to be a lawful and holy war, and two months later, a General Synod of the bishops and clergy pronounced it to be just and lawful, and excommunicated all who should "forsake the Catholic union and cause," or assist in anyway their enemies.¹

The bishops received a vigorous and submissive support from another order of men, to whom the late changes had also given political importance, namely, the Roman Catholic lawyers of the Pale. The introduction of the English law of descent, the abolition of Tanistry and Gavelkind, and of the Brehon law, made the advice of this class a matter of necessity to the natives who were unacquainted with the new rules. These gentlemen were the sons or relations of the lords and gentry of the Pale, and were educated at the same seminaries to which their clergy resorted. We find it stated in a letter addressed to the Spanish regents of the Netherlands in 1613, that upwards of eighty sons of the Irish nobility and gentry had been educated at the college of Douay alone up to that date.² In these seminaries they met the Irish youths, many of them their own relations, who were destined for the priesthood, and shared with them the common instruction. The lawyers were also imbued with the doctrine that the Pope was the supreme legislator, and that he was possessed of the power of deposing kings. In 1613, a deputation from the Roman Catholic lords and gentlemen repaired to London and waited on the King. At an audience where all were present, James proceeded to question them on different subjects; at last

¹ Carte, i., 316. The Acts of these Synods are given in the *History of the Irish Confederation*, i., p. 290, ii., p. 34.

² *Calendar, Carew Papers*, 1603-14, p. 285.

he inquired what their opinion was of the doctrine of Suarez, that the Pope could depose kings, and give their subjects permission to kill their prince for the cause of religion. Some of them answered that they thought he could, or that it was in his power. William Talbot, late Recorder of Dublin, and Thomas Luttrell were remarked to be the most peremptory in their expressions. About the same time, some intercepted letters of Sir Patrick Barnewall, another lawyer, having been laid before the privy council, that gentleman was compelled to make a written apology renouncing the deposing and killing doctrine.¹ Like their bishops and clergy, all the Roman Catholic lawyers refused to take either the oath of supremacy or that of allegiance. The oath of allegiance was perfectly free from any objection on the score of religion,² and merely required an acknowledgment of the king's title, a promise of allegiance in spite of any papal sentence or deposition, and a denial of the tenet that excommunicated princes might be deposed or murdered by their subjects. A refusal to take the oath was equivalent to an acceptance of the tenets to be forsworn, and to a denial that the King was entitled to allegiance in case of his being deposed by the Pope. The

¹ *Desiderata Curiosa Hibernica*, vol. i., pp. 231-4.

² The oath of allegiance devised by James I. to satisfy the scruples of his Roman Catholic subjects was not required by any Irish statute, but it was frequently tendered to persons whose loyalty was doubtful. It is now admitted by all Roman Catholics that it was free from any objection. James II., when Duke of York, took it, and declared his intention of enforcing it when he should be king. Dr. O'Connor says: "There is nothing in it which any Catholic is not *bound in conscience* to swear to, whenever it is proposed by the legitimate authority of the State". Blackwell, the archpriest, to whom the government of the English and Scotch Roman Catholics was entrusted, took it himself and advised his flock to take it. Every affirmative proposition in the oath respecting the rights of an English king, and every denial of the Pope's deposing and absolving power, have since been accepted by Roman Catholics over and over again in their oaths and petitions.

subject who refused to take it must have held that James was only conditionally King, that is, until the Pope should depose him. It would have been clearly impolitic to promote to offices of trust individuals who held such opinions. Yet one of the accusations against the English Government is that these persons were not appointed magistrates throughout Ireland and mayors of the principal towns. The charge would be unreasonable if true, but it is unfounded. Though the statute of Elizabeth made the oath of supremacy a qualification for office, the Government frequently appointed Roman Catholics to office without making any nice inquiry into their religious opinions. At first, after the accession of James and after his title had been questioned in the southern towns, the statute was enforced, but as the country appeared to settle down, the rule was relaxed. Thus we find Willam Meade recorder of Cork, William Talbot recorder of Dublin, and Sir John Everard judge of the King's Bench in the reign of James. We shall presently see that, in the reign of Charles, Roman Catholics were freely promoted to office.

With the knowledge that the bishops and lawyers were imbued with principles which were subversive of all authority in the hands of a Protestant prince, and that the Jesuits, missionary priests, and friars were teaching that the English king was an heretical usurper, to whom no obedience was due, we are in a position to understand the extraordinary phenomenon presented by Ireland during the reigns of James I. and Charles I.—namely, a country rapidly advancing in material prosperity, and an ever increasing disaffection amongst its inhabitants. Throughout the whole of these forty years, we can observe two antagonistic forces working side by side; the constructive efforts of the English Government to introduce civilisation and order, and the destructive endeavours to frustrate

those efforts by implanting hatred and distrust of the English Sovereign and his Ministers. All authorities are agreed that the industrial progress of the island between the death of Elizabeth and the Great Rebellion was marvellous. For the first time in 250 years Ireland was self-supporting. The soil had been greatly improved by the introduction of new modes of husbandry with which the natives had hitherto been unacquainted; profitable employments and manufactures had been established; that of linen made such a sudden start that many historians were led to believe that it was first introduced by Strafford. The value of lands and rents had increased. In 1640 the customs amounted to nearly four times the sum which was received from them at the commencement of the century. Shipping had increased a hundredfold; and the export trade was in the most satisfactory condition.¹ Taxation was very light. During the twenty-two years of James's reign, when the country was recovering from the calamities of the late general insurrection, the whole sum granted him by the Irish Commons did not exceed one subsidy of £35,000,² that is, less than £2,000 a year. In the sixteen years of Charles, down to 1641, when general improvement had set in, the grants amounted to £30,000 a year.³ But

¹ For testimony as to the prosperous condition of Ireland immediately before the outbreak of 1641, see Clarendon, *Irish Rebellion*, 6-9. Leland, iii., p. 41. O'Connor, *Hist. Address*, ii., p. 255. Carte, i., p. 87.

² Ryves; *Regiminis Anglicani Defensio*, lib. ii., p. 8. Sir Thomas Ryves or Reeves, was a Master in Chancery and Judge of the Prerogative Court. He sat for the town of Monaghan in the Parliament of 1613. *Journals of the Irish Commons*, i., 9.

³ In their Remonstrance of 1640 the Irish Commons stated that they had granted to the Crown (1) £150,000, a sum which they had formerly described as "loan monies, or contributions by them forgiven" (*Knowler* i., p. 311); (2) a free gift of £120,000; (3) a gift of £40,000; (4) six subsidies in 1634, amounting to £250,000; and (5) "four entire subsidies in this present Parliament". The first mentioned sum of £150,000 was entirely imaginary (Carte, i., p. 109). Of the four last mentioned subsidies, only

all this appearance of prosperity was deceptive, the elements of disintegration were at work, and the unhappy country was honeycombed with conspiracies and disaffection.

£70,000 was collected, in consequence of an order of the Commons that they should be collected in a manner directly contrary to the terms of the original grant (Carte, i., 102). The sum actually granted down to 1641 was £480,000, or £30,000 a year for the sixteen years of Charles's reign before the Rebellion year, when all collections ceased.

CHAPTER V.

CONSPIRACIES DURING THE REIGNS OF JAMES I. AND CHARLES I.—SOCIAL AND POLITICAL CONDITION OF THE ROMAN CATHOLICS—THE TRUTH ABOUT THE PROPOSED PLANTATION OF CONNAUGHT.

IN the first year of James's reign, the revolt of the southern towns occurred; in the third, the conspiracy of the two Earls—Tyrone and Tirconnell. The design of these conspirators was to kill the Lord-Deputy and his Councillors, to possess themselves of the Castle of Dublin and the munitions of war contained in it, and then to declare themselves in open rebellion. To support the enterprise, an envoy was sent to the Archduke to solicit assistance.¹ Some Irish writers have affected to doubt the existence of this conspiracy, but, as Dr. O'Connor says, "it was as real as any fact in history".² We have the evidence of Carew, of Lynch, the author of *Cambrensis Eversus*;³ of Lord Delvin, who was himself engaged in

¹ *Carew Papers*, 1603-24, p. 279.

² *Historical Address*, ii., p. 229.

³ "Hic [Richard Nugent, Lord Delvin, who confessed the conspiracy] Moynotæ, quod præcipuum Comitibus Kildariæ domicilium est, sub annum 1605, cum Tyrone Tirconnellique comitibus in colloquium venit, in quo statutum est omnium assensu, ut religionem imminentis ruinæ periculo armis subtraherent. Cujus consilii cum alium sui ordinis conscium fecissent, in spem certam elati fore ut ad religionem tuendam facile adduceretur, cœpta in fumum abierunt, illo susceptas molitiones ad senatum regium deferente. Quod ubi Tyrone Tirconnellique comites obaudierunt, in fugam aversi salutis suæ consuluerunt." *Supplementum Alethinologicæ*, p. 186. See also Moore, *History of Ireland*, iv., p. 153.

it;¹ and the corroboration of Delvin's confession by Mabel, Countess of Kildare.² That the guilt of the two Earls was believed by all the leading Roman Catholics of Ireland is shown by what occurred when it was proposed in 1613 to pass an Act for their attainder and the confiscation of their estates. The matter was referred to the judgment of the Roman Catholic bishops as to the way in which the members of their community should vote. The bishops determined that the measure should be allowed to pass.³ The bill was brought in by Sir John Everard, leader of the Roman Catholic party in the Commons, and was passed unanimously, and, as a member who was present assures us, with universal acclamation.⁴ It is worth remembering, that these confiscations were afterwards put forward as one of the causes of the rebellion.

In 1608 occurred the rebellion of Sir Cahir O'Doherty, which, as O'Sullivan tells us, that chief was resolved to carry on until the return of Tyrone, Tirconnell, and the other fugitives with aid from the Catholic princes.⁵ In 1614, there was a conspiracy to massacre all the English in Ulster except three, who were to be spared in order to exchange them for Sir Neale O'Donnell, Sir Donel O'Cahan and Sir Cormac M'Baron O'Neill.⁶ During the six years—1628-34—we know from the confessions of Lord Maguire and the Bishop of Clogher, that frequent applications were made to foreign courts for assistance, and that general risings were planned. The French historian, Mazure, tells us that during the siege of Rochelle in 1628, envoys from

¹ Confession of Lord Delvin, *Calendar State Papers*, Ireland, 1606-8, p. 320.

² *Ib.*, p. 345.

³ O'Sullivan, *Hist. Cathol. Compendium*, p. 328 and note.

⁴ Ryves, *Regiminis Anglicani Defensio*, lib. ii., p. 10.

⁵ O'Sullivan, p. 273.

⁶ *Calendar State Papers*, Ireland, 1615-25, preface, p. 8.

Ireland proposed to Cardinal Richelieu to cede Ulster to France, and to separate Ireland from England; and that, after the death of Richelieu, the negotiations were resumed, and that the envoys, two of whom were the Roman Catholic Primate of Ireland and a bishop, actually signed a cession of Ulster to France.¹ In 1639 the English Ambassador at Madrid wrote to his Government that he had discovered a conspiracy between the fugitive lords and some of the Irish bishops at home; and that two archbishops and two bishops, whom he names, had sent invitations to those lords, assuring them that Ireland was ripe for rebellion, and telling them that they were not "sons of good Catholics" if they did not seize the opportunity of relieving their country and religion.² We are now able to estimate the significance of the letter which Charles I. wrote to the Irish Lords Justices in March, 1641, intimating that "an unspeakable number" of Irish priests had lately come from Spain, and that a whisper ran among the Irish friars there that a rebellion was expected in Ireland.³

To understand thoroughly the interval between the death of Elizabeth and the great Rebellion, it is desirable to state exactly and fully what the social and political condition of the Roman Catholics was before 1641. The necessity of making the subject clear will excuse some repetition. The only statutes which affected them were the Acts of Supremacy and Uniformity. By the former the oath of supremacy was made a qualification for office.⁴

¹ *Histoire de la Révolution de 1688*, iii., p. 399.

² Clarendon, *State Papers*, ii., p. 69.

³ Carte, Appendix of Letters.

⁴ In 1612 six Roman Catholic Lords of the Pale stated, in a petition to King James, that the Act of Supremacy was "sparingly and mildly" executed during the reign of Elizabeth. See the petition in Leland, ii., p. 443.

It is a universal rule that every oath should be taken in the sense affixed to it by the authority which imposes it. Queen Elizabeth declared in her *Admonition*, published contemporaneously with the oath, that she claimed no spiritual authority, but merely jurisdiction over all persons born within her dominions, thus merely rejecting the pretensions of the clergy to be judged in their own courts in criminal matters. This interpretation was also given in the Declaration enjoined to be read in churches before the Thirty-nine Articles were drawn up. Two years later this explanation was repeated by the Convocation,¹ and in 1562 it received the sanction of the Legislature.² But the Popes and the ultramontane writers refused to receive this interpretation, and persisted in teaching that the English Sovereigns claimed to be the Head of the Church, a title which they have invariably declined since the second year of Queen Mary, who was the last to make use of this designation. In the early part of James's reign, after the Gunpowder Plot in England, and the revolt of the Southern towns in Ireland, the oath was required from those who aspired to office, from the heirs of tenants *in capite*, and from those who pleaded at the bar. But the rule was soon relaxed. As early as the twelfth year of James, we find Roman Catholics sheriffs of counties, magistrates, jurors and pleaders in the courts.³ In 1628,

¹ "We give not to our princes the ministering either of God's Word or of the Sacraments, the which thing the injunctions lately set forth by Elizabeth our Queen do most plainly testify: but that only prerogative which we see to have been given always to all godly princes in Holy Scripture by God Himself, that is, that they should rule all estates and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn and evil-doers."

² 5 *Eliz.*, c. 1, s. 14.

³ "All Popish lawyers are suffered to plead and practise, and every Popish gentleman of any ability is made justice of the peace."—Lord

instead of the oath of supremacy, a new oath free from all pretended objection was appointed to be administered to lawyers and those suing out livery of their lands on the death of their father.¹ From this year till the end of Charles's reign, the oath of supremacy was not required, except in the case of individuals whose conduct gave rise to suspicion.

The Irish Act of Uniformity imposed a fine of twelve-pence—equal to ninepence English—on those who abstained from attendance at their parish churches. This fine was rarely exacted even in the time of Elizabeth,² though we find the most exaggerated statements respecting it in Roman Catholic authors. O'Sullivan Beare asserts that Oliver St. John, when Deputy, levied in the year 1616 a sum of £600,000.³ Routh, in his *Analecta Sacra*, says that in the county of Cavan alone, which he describes as one of the poorest in Ireland, the fines amounted in one year to £8,000.⁴ There is not a vestige of truth in these statements. In 1613 a complaint was made to the King that this penalty was strictly enforced in many places. In answer to this complaint, the Deputy, Chichester, stated that the Act had been executed in no county except that of Dublin, and that there only £15 had been levied during

Chichester's Answers to the Recusants' Complaints, *Cal. State Papers, Ireland*, 1611-14, p. 377. "The justices of peace, sheriffs and officers of this kingdom, many of whom are recusants who animate this people in their disobedience."—Return of the Commissioners to inquire into the Grievances of the Kingdom. *Curiosa Hibernica*, i., p. 360.

¹ This oath is given in Cox, ii., p. 47. This concession was one of the Graces of 1628.

² In 1642, the Irish Roman Catholics, then in arms, declared in their *Remonstrance* delivered to the King's commissioners at Trim, that the statute of the 2nd Elizabeth was never executed in her time. They evidently meant the Act of Uniformity, for they had referred to that of Supremacy in a former article of the *Remonstrance*. Rushworth, iv., p. 392.

³ *Historiæ Cathol. Compendium*, p. 335.

⁴ P. 32.

the preceding year.¹ This statement was corroborated by the Commissioners whom James sent into Ireland to inquire into alleged grievances. During the whole reign of Charles no attempt was made to enforce this fine. In 1632, the Lords Justices, Loftus and Lord Cork,² proposed that the penalty should be exacted, but Lord Strafford would not hear of it. The political rights of the Roman Catholics during the whole reign of Charles I. were amply secured. They were possessed of the franchise; they were members of both Houses of the Legislature. In the first and only parliament of James I., out of a total of 232, 101 Roman Catholics sat in the Commons; in the parliament of 1640, they were the predominant party. They were sheriffs of cities and counties; justices of the peace; mayors and aldermen of corporations; practised at the bar; held commissions in the army and places about the court; were judges in the supreme court; recorders of towns; governors of counties; and in 1650 one of them who had been for many years president of the town and county of Galway, became Lord Deputy of the kingdom. The evidence of contemporaries as to their condition before the breaking out of the rebellion may be here quoted. Lynch, Roman Catholic Archdeacon of Killala, an authority beyond question, tells us that "during a short period before the death of King James, and during almost the whole reign of King Charles, down to the commencement of the late

¹ *Cal. State Papers, Ireland, 1611-14* p. 380.

² Mr. Lecky makes an amusing accusation against these justices; that "the site of the purgatory of St. Patrick, which was the object of deep reverence among the Irish Catholics, was by order of the Government dug up and defaced". Long before these justices were born, Pope Alexander VI. ordered the purgatory to be destroyed as a nest of "shameful avarice" and superstition, and the order was carried out by the Roman Catholic bishop of the diocese. *Cambrensis Eversus*, vol. i., p. 142, note; *Annals of the Four Masters*, iv., p. 1,238. note.

war,¹ they [the Protestant magistrates] ceased to persecute the professors of the Catholic faith. Catholics were honoured with the commission of the peace in town and county in many places, and Catholic lawyers were permitted without difficulty to plead at the bar. The bishops exercised their episcopal functions, the priests their parochial duties. Almost every city and town in Ireland had religious communities, which lodged in houses hired for the purpose, and were not prohibited to perform all the duties of their orders.”² Lord Clarendon says “it cannot be denied but . . . the whole nation enjoyed an undisturbed exercise of their religion, and even in Dublin, where the seat of the king’s chief governor was, they went as publicly and uninterruptedly to their devotions as he went to his. The bishops, priests, and all degrees and orders of secular and regular clergy were known to be, and exercise their functions among them ; and though there were some laws against them still in force . . . yet the edge of those laws was so totally rebated by the clemency and compassion of the king, that no man could say he had suffered prejudice or disturbance in or for his religion.”³ Archbishop Bramhall tells us : “The Earl of Strafford, the lieutenant of Ireland, did commit much to my hands the political regiment of that church for the space of eight years [1633-41]. In all that time let him [the Bishop of Chalcedon] name one Roman Catholic that suffered either death or imprisonment, or so much as a pecuniary mulct of twelve pence for his religion, upon any penal statute. If he cannot, as I am sure he cannot, then it is not my present persecution⁴ that

¹ The good archdeacon thus designates the rebellion of 1641, because the Irish bishops in a national synod had declared it to be a just and lawful war.

² *Cambrensis Eversus*, iii., p. 117.

³ *History of the Rebellion etc., in Ireland*, p. 8.

⁴ Bramhall escaped from England and landed at Hamburg in 1644. At the Treaty of Uxbridge, the parliament demanded that he should be excepted out of the general pardon.

taught me that lenity. I remember not one Roman Catholic that suffered in all that time, but only the titular Archbishop of Cashel, who was indeed imprisoned for three or four days, not only upon suspicion, but upon information out of Spain that he was a pensioner of the Catholic kings, and being found to be no such dangerous person, upon my representation was dismissed.”¹ To the testimony of these distinguished men may be added that of Pope Innocent X., who tells us that, “desirous of marrying his son to Margaret, the Infanta of Spain, James deemed it politic to abate the severity of his proceedings, and on the marriage of the prince to Henrietta Maria of Bourbon, sister to Lewis XIII. of France, he granted to all the Catholics in his dominions the free and unconditional exercise of their religion.”²

This evidence, which cannot be set aside, leads to one conclusion only, namely, that at a time when toleration was unknown in every other country of Europe, freedom from annoyance and political equality was freely and fully granted by the English Government to the Roman Catholics of Ireland. The true relation of the Government and that community all through the reigns of James and Charles was this: The English Government endeavoured to allure its members to allegiance. “Every office,” it said, “is open to you if you proffer the same proof of obedience which we require from our Protestant subjects, and if you renounce the political doctrines subversive of our authority.” On the other hand, the Roman Catholics virtually said: “we will give no pledge of our obedience or affection to you, nor will we deny the right of the Roman Pontiff to dethrone your King and to absolve us from all allegiance to him.” Notwithstanding this universal disaffection, of which the English Government was well

¹ Bramhall, *Works*, ii., p. 124.

² Instructions to Rinuccini. Hutton's *Embassy of Rinuccini*, xxx.

aware,¹ it persevered in its efforts of conciliation, and forgetting, perhaps, the just limits of self-protection, advanced to office and places of trust men who were liable to suspicion, as every citizen is who refuses to give a guarantee of his loyalty. Yet we are told that one of the principal causes of the great rebellion was a fear of the extirpation of the Roman Catholic religion.²

The other alleged cause is the land question and the insecurity of titles ;³ whereas the truth is, that titles had never before been so secure as during the administration of Strafford. Two charges are brought against that statesman : that he refused, "in distinct violation of the King's solemn promise," a limitation of sixty years to the rights of the Crown, and that he proposed a universal confiscation of the land in Connaught. In 1628, that is in the fourth year of Charles's reign, agents of the gentlemen and freeholders of Ireland were despatched to London "to present to His Majesty such things as may be to the behoof of His Majesty's service and good of the kingdom".⁴ The agents took with them a list of fifty-five grievances by which their constituents were affected. To smooth their way, they offered a voluntary gift of £40,000 a year for three years, which they were careful to state was not offered by way of contract.⁵ At this time, no grant had been made by the Irish Commons for twenty-six years, save one subsidy of £35,000, and Ireland was still a heavy burden

¹ See the remarkable State Paper, "A Discourse of the present Estate of Ireland, 1614," by Lord Carew ; *Carew Papers*, 1603-24, p. 305.

² Lecky, ii., pp. 118-124.

³ "The security of property was shaken to the very foundation." Lecky, ii., p. 115.

⁴ Rushworth, ii., p. 16.

⁵ "And lest it might be conceived or be objected by any that these offers are in any such kind as though your Highness's said subjects did intend to contract with your Highness," etc. The petition is in Rushworth, ii., p. 17.

on the English treasury. In return for this voluntary gift, the King issued certain instructions to Lord Falkland, then Deputy of Ireland, and his Council. These instructions, or Graces, as they came to be called, consisted of fifty-one heads, one of which was, that in the next Parliament an Act should be passed limiting the King's title to sixty years. These Graces were not absolute; they were merely directions to the Irish Council as to the course to be observed if its members should consider the Graces necessary for the welfare of the country. That they were not absolute is shown by the conduct of the Irish Commons themselves. In 1634, six years after they had been sent over to Ireland, the Commons presented a petition to the King, in which they prayed that the Graces might be revised; that some of them should be passed as laws; others be continued as instructions to the local government; others be altered; and some utterly abolished. They even suggested that, at the time the Graces were granted, the King had been misled by the agents. "Howsoever," they said, "those Instructions did then pass your royal signature upon the information you then received from those Agents, yet we humbly crave leave upon good grounds to disadvise some parts of them, as not consisting with the furtherance of your service and the good of your kingdom: reasons, which we hope in your princely judgment will be found a just qualification of our boldness, wherein we beseech you to give us leave to inform you that, at the time, your Deputy and Council here were unconsulted with in those particulars, whence it came to pass that you were not then fully informed; and therefore as well in common justice to right yourself and your crown when you have been fully informed, as in reason of State for the public good of your kingdom, which may otherwise be extremely prejudiced, we conceive that it is in no degree

unsuitable to your greatness and wisdom to retrench those Graces in such parts of them as are found inconvenient for your service in the happy Government of your kingdom".¹ Upon this petition, the advice of Strafford and his councillors—one of whom was Lord Cork, who, as the most successful land acquirer that Ireland had ever seen, was deeply interested in the question—was, that the grant of the sixty years' limitation should be *suspended* until the Commission for remedying defective titles had been completed. "We may not therefore in any sort advise that this may pass for a law, and the rather, in regard the benefit thereby expected by the people, shall be conveyed to them in another way of less prevention to the future public good of the kingdom in general than the law desired, namely, by your Majesty's commission of Grace for confirmation of defective titles, which now will resettle all men's estates after the distempers and disturbances which they have endured by the late rebellions here . . . and yet, nevertheless, after this commission . . . whereby this kingdom may in some degree be brought nearer to the condition of England . . . so may it then also have that law which is now desired, if your Majesty in your wisdom shall so think fit".² Though Strafford and his Council advised that this Grace should be suspended for the present, they obtained from the King a far better and more immediate security against the claims of the Crown for the Irish proprietors. In the first Parliament which met after the issuing of the Graces, a statute was passed enacting that all patents and grants under the Commission for defective titles should conclude and bind the King and his successors.³ In a subsequent session of the same Parlia-

¹ The petition, with the comments of the Irish Council, is given in Knowler, *Letters and Despatches of Strafford*, ii., p. 312.

² *Ib.*, p. 320.

³ 10 *Chas. I.*, c. 3.

ment another Act was passed confirming the former, curing every possible defect in the patents, and directing that they should be most strictly construed for the grantees and against the King.¹ Finally a third Act was passed in 1639 confirming the two preceding.² These three Acts were passed during the administration of Strafford.

The second charge is that Strafford devised and adopted the project of making a plantation in Connaught similar to that of Ulster, and of confiscating all the titles in the former province.³ The writer who makes such an assertion cannot have studied the letters and despatches of that statesman, or investigated the subject for himself. Strafford did indeed propose a plantation in Connaught, but of a very different kind, and far less extensive than that of Ulster, and no man's just title or patent was to be questioned thereby. As Strafford told the Roscommon jury, the King's "Great Seal was his public faith, and should be kept sacred in all things".⁴ Connaught con-

¹ 10 *Chas. I.*, session 3, c. 2.

² 15 *Chas. I.*, c. 6.

³ Lecky, ii., pp. 116-118.

⁴ Speaking of the Commission which was sent into Connaught, Mr. Lecky says, in his rhetorical way: "In county after county the terrified juries brought in the verdict that was required". It is to be regretted that any respectable author should have put his hand to such a statement. The Commission sat in four counties. In Roscommon, Sligo and Mayo it was welcomed by the juries, which were composed of "gentlemen of the best estates and understandings". In Galway, a jury, consisting of the friends, dependants, and steward of Lord Clanrickard, refused to find the King's title, upon pretence that Henry II. had not conquered Ireland, but merely received the submission of its inhabitants, though by the Irish Act of 10 *Henry VII.*, c. 15, Connaught was annexed to the Crown. Mr. Lecky does not appear to have known that Lord Tunbridge, Clanrickard's son, acknowledged to Charles I. that the Galway jury had met with the express intention of defeating the King's title [Knowler, i., p. 476]; nor that the same nobleman, on the death of his father, sent to Strafford a letter of attorney "signed by 175 of the best quality of the county," voluntarily acknowledging the King's title. "I leave it to your Lordship's better judgment," he wrote, "to consider whether this free and voluntary surrender by the body of the

tained upwards of 4,300,000 acres. In that province much land had been concealed or unjustly detained from the Crown; many tenures *in capite* had been suppressed and the dues on them withheld; and many estates had been seized by the strong hand during and after the Insurrection, 1595-1603. In some cases, as in that of Lord Wilmot, President of Connaught, the King's lands and rents had been fraudulently alienated for private gain.¹ Of the 4,300,000 acres in Connaught, Strafford hoped to recover only 120,000.² From the plantation were to be excepted the whole county of Leitrim, Church lands, and all estates held under letters-patent from the Crown, or under conveyances from Richard de Burgo and his heirs, who in the fourteenth century were possessed of twenty-five of the thirty cantreds which made up the whole of Connaught.³ These exceptions and limitations, together with the small proportion which Strafford expected to recover for the Crown, enable us to estimate the exaggeration with which this proposed plantation has been described.⁴ That no man's freehold was invaded by Strafford's government, and no just title set aside, we have

whole county doth not as highly import the service as to have it found by a jury."—Knowler, ii., p. 35.

¹ See "Wilmot's Confession to the King" [Knowler, i., p. 477]. Lord Wilmot was brought to book by Strafford for robbing the King, as Lord Cork was for appropriating the lands of the Church.

² Knowler, i., p. 421.

³ *Ib.*, p. 455.

⁴ Not only exaggeration, but mere confusion. Mr. Lecky, treating of the Connaught plantation, says that "a grant of four shillings in the pound was given to the Chief Justice and Chief Baron out of the first yearly rent upon the commissions of defective titles". The Commission for Defective Titles had nothing whatever to do with the plantation of Connaught. It was the most popular measure ever proposed in Ireland. The judges attached to it did not decide on the validity of titles, or on the amount of the composition to be made respecting them. See "Answer of the Judges to the Questions proposed to them by the Irish Parliament," Nalson, ii., p. 575.

both positive and negative evidence of the greatest value. In 1640, six years after Strafford had sent his Commission into Connaught, the Irish Commons—before their fatal alliance with the English Opposition—returned thanks to the King for having appointed Strafford to the government of the kingdom, “who by his great care and travail of body and mind, sincere and upright administration of justice without partiality, increase of your Majesty’s revenue *without the least hurt or grievance to any* your Majesty’s well disposed and loving subjects, and our great comfort and security by the large and ample benefits which we have received and hope to receive by Your Majesty’s Commission of Grace for remedy of defective titles, procured hither by his Lordship . . . for this your tender care over us, showed by the deputing and supporting so good a Governor, we . . . acknowledge ourselves more bound than we can with tongue or pen express.”¹ In November, 1640, the same body presented, in Strafford’s absence, to his deputy a Remonstrance of Grievances, consisting of sixteen heads, which was made use of on Strafford’s trial.² In this there is not a word about the plantation of Connaught, though they complain that the plantation in the county of Londonderry had been weakened. Nor is there any mention of Connaught in the Protestation against Strafford and his Government, which they made in February, 1641.³ Every charge, which the managers of his Impeachment could collect, was urged against him, and every Act of his Irish Administration ripped up, yet in the Eighteen Articles which refer to his Irish Government there is no mention of the

¹ Preamble to Act, 15 *Charles I.*, c. 13.

² *Journals of the Irish Commons*, i., p. 162. Rushworth, viii., p. 11.

³ “Protestation against the Earl of Strafford and his Government,” *Ib.*, i., p. 176.

Connaught plantation. In the seventh article, he was accused of having dispossessed Lord Dillon of his lands, and of causing divers others of His Majesty's subjects to be put out of possession and disseised of their freeholds, "whereby many hundreds of His Majesty's subjects were undone and their families utterly ruined". This article was dropped by the managers, and no evidence was offered on it.¹ Nor are these the only proofs that the proposed plantation of Connaught was not considered a grievance in Ireland. When both Houses, in November, 1640, sent agents over to England to lay their grievances before the King, they gave no directions to mention this for one, neither did their agents "ever attend His Majesty to complain thereof, or desire redress therein, until His Majesty freely offered to depart with his title to the former proprietors. But, on the contrary, did by their letter importune His Majesty that he would not part with his title to those counties and lands, and that the plantation of English Protestants might proceed as formerly intended."²

And lastly, in the June following the departure of Strafford, the Irish Commons read a bill the second time "for securing of the plantations to be made in the several counties of Roscommon, Sligo, Mayo, Galway, the town of Galway, Clare, Limerick and Tipperary."³

¹ Rushworth, viii., pp. 64, 220.

² *Declaration of the Commons [English] Assembled in Parliament*, July 25, 1643; Rushworth, v., p. 346.

³ *Commons Journals*, i., 145. Leitrim is not mentioned, as that county was not to be included in the proposed plantation of Strafford.

CHAPTER VI.

THE IRISH PARLIAMENTS IN THE REIGNS OF JAMES I. AND CHARLES I.

HAVING considered the circumstances of Ireland and the affections of its inhabitants, we may now pass to the proceedings of the three Parliaments which were held in the reigns of James and Charles. In 1613, twenty-seven years had elapsed since a meeting of that body. Towards the end of 1611, the Deputy announced the King's intention of calling a parliament, and invited the subjects to exhibit their grievances. He also stated that the King thought it meet to erect new boroughs for the encouragement of the plantation in Ulster, and to draw inhabitants to other places which were thinly peopled. This announcement caused the most extraordinary excitement throughout Ireland. In November, 1612, six Roman Catholic Lords of the Pale addressed a letter to the King, asserting that they had not been consulted about the Bills to be transmitted to England, inveighing against the design of erecting new boroughs, complaining of the oath of supremacy and intimating the danger of a revolt. When the writs were issued, the country became a scene of universal agitation. The Lords of the Pale, who were discontented because, as they alleged, the new nobility enjoyed more of the confidence of the Government than themselves,¹ sent agents into all parts of the kingdom to solicit the voters

¹ *Curiosa Hibernica*, i., 249.

of better rank, while the priests and lawyers laboured among the inferior classes. The Jesuits and clergy denounced excommunication against those who should support a Protestant.¹ No art or industry was omitted to carry elections for their party. Oaths of association, promises, threats, etc., were freely made use of to deter the electors from voting for any one who attended the reformed worship. When a Roman Catholic was elected, the successful candidate was received on his way by men, women and children with shouts of applause and admonitions to take care of the Catholic religion.² The cause of all this excitement was: the Roman Catholic clergy were afraid that the statute, which had been passed in England against Jesuits and missionary priests would be enacted in the new Parliament.

The day before the meeting of Parliament, which was fixed for the 18th of May, 1613, ten Roman Catholic lords presented an address to the Deputy, in which they questioned the King's prerogative to erect new boroughs, found fault with the late elections, excepted against the Deputy's guard of one hundred men, and against holding the Parliament in the castle, on the ground that it might be blown up after the manner lately adopted in England.³

When the Parliament met on the following day, the Deputy, sitting in the Lords, invited the Commons to choose a Speaker, and recommended Sir John Davis for the office. On the return of the Commons to their own House, Sir Thomas Ridgway proposed Sir John Davis; whereupon Sir James Gough rose and said that he saw many in the House who had been sent from the new boroughs, and that others had been improperly elected in

¹ Carte, i., p. 19. Ryves, *lib.* ii., p. 15.

² O'Sullivan, p. 308.

³ *Cal. State Papers, Ireland*, 1611-14, p. 342.

the old ; he proposed that these persons should be excluded the House before they proceeded to elect a Speaker, but being pressed to name a candidate he nominated Sir John Everard.¹ Gough's proposal was seconded by Sir Christopher Nugent and William Talbot, who also moved that the House should be purged before electing a Speaker. Sir Oliver St. John then told them, that he had been a member of several Parliaments in England, and that there the custom was first to elect a Speaker and afterwards to appoint committees to examine the returns. St. John concluded by seconding Davis, and inviting those who were of the same opinion to go with him into the room appointed for divisions. It was then the custom for one party to retire into an antechamber, and from thence to send two members to number those who remained, the other party also sending two to count those without.² On this occasion Everard's party refused to do so, and on the return of Davis's supporters, in a majority of thirty,³ they found Everard in the chair. On Everard's refusal to leave the chair, he was pulled out of it and Davis was placed in it. The Roman Catholics immediately left the House, declaring that Everard had been duly elected, and that they would appeal to the King and Deputy. On the following day eleven Roman Catholic lords wrote to the King, complaining of the proceedings in the Commons, and of the new boroughs and, as in their former letter, intimating a menace of rebellion.⁴ On the same day, the discontented members of the Commons wrote a similar letter to the Lords of the Council in England ; and the next day petitioned the Deputy that they might be dispensed from attendance, on the pretence that they were in fear of their lives ; they also required to be informed

¹ Ryves, *lib.* ii., p. 15.² *Ib.*, p. 17.³ *Curiosa Hibernica*, i., p. 166.⁴ *Ib.*, i., p. 197.

by what authority most of the members sat in the House. On the 21st they presented another petition to the Deputy, offering to return to their House "if they might be secured of their lives, and have the benefit of the laws of the kingdom and the censure of the undue returned knights and burgesses". Their request was granted by the Deputy in the name of the King¹; but they had no intention of returning, for on the same day, they presented another petition to the Deputy, demanding that the members to whom they objected should be excluded before an examination of the returns. There was clearly a combination between the Roman Catholics of both Houses, for on the 21st, the same eleven lords presented a petition to the Deputy, complaining of undue returns, of the election of Davis, and of the creation of new boroughs; and on the 22nd they presented a third petition, saying they would come no more to Parliament until the King had taken some better order to settle things, their reasons being "that although the Commons House and theirs were distinct, yet they both together made but one body". Finally, on the 26th and 27th, the Roman Catholics of both Houses declared that they would not attend, though a proclamation in the King's name commanded them to do so, and though they had been informed that no Act would be read but the Act of Recognition of the King's title.²

The Lord Deputy was greatly alarmed by the agitation in the city. Dublin was full of armed men, and the whole military force in Ireland amounted only to 1,900 troops,

¹ *Cal. State Papers, Ireland, 1611-14*, p. 348.

² For the details given above see *Brief relation of the passages in the Parliament, etc., in 1613. Carew Papers, 1603-24*, pp. 278-285. Ryves, *Regiminis Anglic. Defensio*, lib. ii. *Cal. State Papers, Ireland, 1611-14*, pp. 342-404.

dispersed over the face of the country. All things portended an insurrection. Burke, Roman Catholic Bishop of Ossory, tells us that the orthodox were resolved to resist to the death; that bishops and priests, both secular and regular, had hurried up to Dublin from all parts of the country; and that many students had arrived from Spain, France, Portugal and Belgium to support their party.¹ And O'Sullivan says that the principal portion of the nobility of the whole kingdom had made their entry into the city with great pomp, surrounded by armed retainers, ready for any emergency, and that the general opinion was that there would be a revolution.² To allow the excitement to cool down, Chichester prorogued the parliament on the 17th of June, and certain members of both Houses proceeded as agents of their party to London to present their grievances and to explain their conduct.

On their arrival they were graciously received by the King, to whom they presented a list of their grievances, and prayed that a Commission might be sent into Ireland to examine into the alleged abuses. Their request was granted, and four persons, with whom they said they were perfectly satisfied,³ were appointed to inquire into "all errors and grievances, not only in Parliament . . . but also any other pressure, extortion, or misgovernment whatsoever". While the Commissioners were absent, the King admitted the agents to several interviews, and it was at one of these that the conversation respecting the doctrine of Suarez, already referred to, took place. The Commissioners spent two months in Ireland, taking information on oath and examining records and official certificates.⁴ In November

¹ *Hibernia Dominicana*, p. 621.

² *Hist. Catholicæ Comp.*, p. 309.

³ *Curiosa Hibernica*, i., p. 279.

⁴ *Cal. State Papers*, 1611-14, p. 438

they made their report. On receiving it, the King summoned from Ireland a certain number of both parties, and allowed them in his presence to discuss the election of a Speaker, the creation of the new boroughs, and their right to return members.¹ After a full discussion, James gave his decision on the conduct of the appellants. "You offered that if you failed to prove any point, you would renounce my favour in all ; yet have you scarce proved a word true ; but on the other side, almost every point hath been proved contrary. Of fourteen returns of which you complained, but two have been proved false. . . . Before the meeting of Parliament an unusual favour was offered you by my Deputy, for he sent for you, advised you to consider what laws were fit to be propounded for your commonwealth, and offered to consult with you. But instead of being thankful for that favour, a few noblemen sent me a rash and insolent letter that nothing should be pursued in Parliament but you should be acquainted with it, and withal threatening me with rebellion in a strange manner. After that, you did nothing but heap complaint upon complaint until the Parliament was set down ; then you went on with a greater contempt. . . . Why should the Lords have refused to attend ? They had no colour of absenting themselves, having nothing to do with the orders or disorders of the Lower House. . . . The Lower House here in England stands strictly upon their privileges, but if such differences had arisen among them, they would have gone on with my service and not broken up the assembly. . . . I have used my own eyes in making the new boroughs, and find them, except one or two, to be as good as the old and likely to grow better every day. . . . My sentence is, that in the matter of Parliament, you have

¹ Ryves, lib. ii., p. 19.

carried yourselves tumultuously, and that your proceedings have been rude, disorderly, unexcusable, and worthy of severe punishment, which, by reason of your submission, I forbear, but do not remit, till I see your carriage in this Parliament.”¹

The Parliament met again on the 11th of October, 1614. Things had quieted down, and the Act of Recognition was passed. In this, both Houses returned thanks for the “many blessings and benefits poured upon this realm” in granting a general Act of oblivion and special charters of pardon to many thousands of the subjects, in strengthening defective titles, and regranting estates to many “who could derive no other title to their lands than a long continuance of possession,” and for the King’s care in the plantation of Ulster.² Subsequently an Act was passed for the attainder of Tyrone, Tirconnell, and the other Ulster chiefs, and for the confiscation of their estates. Both these statutes were passed unanimously, though the latter did not contain the usual clauses in such statutes, saving the rights of innocent persons.³ A few more Acts were passed, and this Parliament was dissolved on the 24th of October, 1615.

The second Parliament met in the reign of Charles on the 14th of July, 1634, a year after the arrival of Strafford. This Parliament is chiefly remarkable for its legislation. It may safely be asserted that during Strafford’s administration of the country, more good, useful and profitable laws were enacted than during the government of any

¹ *Carew Papers*, 1603-24, p. 288.

² II. James i., c. 1.

³ It was represented to the Deputy, at the close of the session, that the estate of John Bath, which had been conveyed to his father by Tyrone long before the attainder of that Earl, would be affected by this Act. The Deputy and Council by an Instrument of State, signed by himself, the Chancellor and eleven Privy Councillors, undertook to make a new grant to Bath. This was done to save time, as otherwise the Act could not have passed in the session (*Commons’ Journals*, i., p. 28).

preceding or succeeding Lieutenant of Ireland. The Irish Statute Book is open to all, and no man can examine it without coming to this conclusion. The Parliament was dissolved on the 15th of April, 1635.

The third and last Parliament met on the 16th of March, 1640. On the 23rd, the Commons resolved unanimously, "not one man opposing," that four subsidies should be granted to the King as a present supply for his great necessities, with a further declaration, that they would be ready with "their lives, fortunes and estates" to assist him as occasion should require.¹ On the 30th they made another declaration in which the Lords concurred, drawing up a similar one,² professing, that to enable the King to reduce the Scotch Covenanters, they would not limit themselves to four subsidies, but would be ready with their persons and estates to support him. They desired that this declaration should be recorded for a testimony to all the world and succeeding ages, *that as the kingdom hath the happiness to be governed by the best of kings, so are they desirous to give his Majesty just cause to accompt of this people amongst the best of his subjects.*³ In addition to these declarations, they inserted in the Act of Supply the highest panegyric which has ever been passed upon the conduct of a Minister by a legislative assembly ; a part of which has been given before. On the 1st of April, the Commons adjourned to the 1st of June following, and, on the 3rd, Strafford left Ireland for ever, having appointed Wandesforde as his deputy.⁴

While following the subsequent proceedings of this Parlia-

¹ *Commons' Journals*, i., p. 138.

² *Lords' Journals*, i., p. 114.

³ The italics are in the original declaration (*Commons' Journals*, i., p. 141).

⁴ In 1639 Wentworth was created Earl of Strafford and Lord-Lieutenant of Ireland.

ment, we must carefully keep in mind the contemporaneous events in England, the revolt in Scotland, the support given to it by the English Commons, and the declining circumstances of the monarchy. When the Irish House met again in June, the position in England was this: The Scots were preparing to invade England—a design which they carried into effect two months later—and the Short Parliament had been dissolved on the 5th of May, having declined to grant supplies to the King. The Irish Commons very soon displayed their real affections and the value of their promises to support the King against the Covenanters with their lives and fortunes. Owing to the absence of many royalists who held military commissions, the Roman Catholics had now a majority, and had effected a union—which was so soon to be dissolved in blood—with the Presbyterians of the North who sympathised with their Scotch brethren. This united party resolved to cripple the King, and to deprive him of a large portion of the supplies which they had voted him only three months before. On the 13th of June, they drew up an Ordinance of the House, in which they condemned the instructions of the Deputy assessing a certain portion on each county. They allowed indeed the first subsidy to be collected according to the instructions, but ordered at the same time, that it should be collected, not by the authority of those instructions but by the directions of the House. As to the three other subsidies, they declared, in direct opposition to the Act granting them, that they should be levied in a different way, or as they expressed it “in a moderate parliamentary way, after an easy and equal rate of each man’s estate without relation to any former certainty”.¹ The effect of this ordinance was, that the first subsidy was collected to the

¹ *Commons’ Journals*, i., p. 146.

amount of £46,000, and from the second and third together something less than £24,000.¹ As if ashamed of themselves, three days later, they drew up a declaration, deprecating the criticism of "ill-affected persons" on their conduct, and asserting the continuance of their affection and of their readiness to support the King's service.² On the following day the Parliament was prorogued to the first of the following October.

When the Houses met in October, a Scotch army of 26,000 men, infantry and cavalry, was in England, levying a weekly contribution of £6,500 from the inhabitants of two Northern counties, and the writs were out for the Long Parliament. On the 7th of November, four days after the meeting of the English Parliament, the Irish Commons drew up a Remonstrance of grievances in sixteen articles. This Remonstrance was presented to the House ready drawn, and was required to be instantly read twice and then put to the vote, though the matters in it had never been discussed or examined. The House simply ordered "that the particular matters mentioned and expressed in the petition of Remonstrance, now twice read, are voted and declared by this House to be grievances and do require a present redress³". The Commons asked the Lords to join with them, but the Upper House declined to do so. If we consider the manner in which the Remonstrance was introduced into the Commons, that no parties interested in it were heard, and that no member was allowed to discuss it, we can hardly doubt that it was not the spontaneous expression of the Irish House, and that it was sent from England to be used against Lord Strafford, as indeed it afterwards was.⁴ Sir John Clotworthy, an Irish Presby-

¹ Carte, i., p. 102.

² *Commons' Journals*, i., p. 148.

³ *Ib.*, i., p. 162.

⁴ Rushworth, viii., p. 11. In the copy of the Remonstrance given by Rushworth one of the articles, the 15th, is dropped out.

terian, then sat in the English Parliament, and was in correspondence with his friends in the Irish Commons. This gentleman took an active part in the impeachment of Strafford, and was one of a committee of seven appointed to confer with the Lords concerning his trial, and also a witness against him.¹ What is certain is that the Remonstrance, though addressed to the Deputy, was meant neither for him nor the King, but for the English Commons. On the 11th, the Irish House nominated the agents who were to carry it to England, and ordered a committee, five of whom were agents, to attend the Deputy for his answer to it on the following day,² so that the agents could not have left Ireland until the 12th. They could hardly have left on the 12th, for on that day the Commons authorised them to require from all officers in the kingdom, without fees, such copies of records, entries, and books as they should think necessary to take with them.³ The usual time between London and Dublin was then seven days, yet we find that on the 13th "a petition from the Parliament of Ireland" was delivered to the English Commons,⁴ and on the 20th of the same month the Remonstrance was reported to the House by name,⁵ though it was not presented to the King until the 3rd of January following.⁶

The agents were authorised to receive all complaints, which any of the subjects in Ireland might deliver to them for presentation to the King, and to press Charles for a continuance of the present or a speedy calling of a new Parliament. The number of the agents appointed by the Commons was thirteen, of whom eight were Roman

¹ Rushworth, viii., pp. 3, 418.

² *Commons' Journals*, i., p. 164.

³ *Ib.*, p. 165.

⁴ Rushworth, iv., p. 51.

⁵ *Ib.*, p. 53.

⁶ Carte, i., p. 115.

Catholics and five Presbyterians. Three months later the Lords, following the example of the Commons, authorised four Roman Catholic peers "to attend the King touching certain grievances of the kingdom."¹ For the support of these gentlemen, all of whom were afterwards leading men and principals in the Rebellion, two sums of money were regularly assessed and levied on the different counties: £5,086 for the agents of the Commons,² and £2,400 for the four peers;³ and this at a time when they had reduced the three subsidies granted to the King to less than £12,000 each, on the ground of the poverty of the kingdom, and had declared in the June preceding against the assessing of a certain sum on each county.

Strafford had been sequestered from the House of Lords on the 13th of November, and was now in the Tower awaiting his trial.⁴ It is known to all, that the managers of his impeachment attempted to commit him by accumulating acts which, taken separately, amounted to misdemeanours only. The articles in his impeachment related principally to his conduct in Ireland—eighteen out of the twenty-eight referring to his administration of that country. It was hopeless to expect a conviction as to these, as long as the panegyric of the Irish Parliament remained on record as a testimony in his favour. It was judged necessary to remove this difficulty. To effect this, in February, 1641, both Houses of the Irish Parliament drew up a protestation against Strafford and his government of the country.⁵ The Bill of Supply, which contained the panegyric on Strafford, must have

¹ *Lords' Journals*, i., p. 149.

² *Commons' Journals*, i., p. 166.

³ *Ib.*, i., p. 197.

⁴ The following dates may prove useful: Strafford sequestered and committed to custody, 13th November, 1640; trial from the 22nd March to 12th of April, 1641; attainder, 10th of May; executed 12th of May.

⁵ *Commons' Journals*, i., p. 176. *Lords' Journals*, i., p. 157.

been read three times in each House. It had been passed into an Act more than seven months before this protestation, and during the interval not a whisper had been heard against the encomium. As late as the 8th of the preceding June, on the occasion of Sir George Radcliffe asking leave to attend Strafford in England, the Commons had renewed their attestation of the Lord Lieutenant's eminent services, and one of the members declared amid shouts of applause, that Strafford had administered their affairs with the zeal which men give to their own affairs, with the caution with which they manage those of others, and with the devotion which they bestow on public affairs.¹ Yet, now, both Houses asserted that the clause referring to Strafford had been fraudulently inserted either by him or his servants, that it was false, and that the country had been oppressed and impoverished by his administration. Further, they ordered their agents in England to request the King that an Act might be passed to expunge it from the records of Parliament and to punish those who had inserted it.

During the nine months that their agents in England were pressing the King with demands, which he was no longer in a position to refuse, the Irish Commons were doing all in their power to disturb the existing institutions of the country, to diminish the royal authority, and to bring everything into confusion. Following the example of the English House, they impeached the Chancellor, the Chief Justice of the Common Pleas, the Bishop of Derry and Sir George Radcliffe.² They constituted themselves a Court of

¹ Carte, i., p. 107.

² After these gentlemen had given their answers, the impeachment was dropped. The accusations against the Chancellor and the Chief Justice were discussed on the 22nd of June, 1642 (*Lords' Journals*, i., p. 179). The King sent over a letter ordering the proceedings against the Bishop of Derry to be stopped, and he was some time after released. Sir George

original jurisdiction, and took the management of the whole kingdom into their hands. They decided private causes; committed and enlarged persons on petition; ordered that proceedings at Common Law and in Chancery should be suspended, and forbade the judges of the Supreme Courts to proceed in causes "until report thereof be made to this House"; imprisoned defendants for not answering; directed writs of Habeas Corpus to be "forthwith granted" by the Court to petitioners to themselves; prohibited sheriffs from executing writs; interpreted and decided on the validity of deeds, mortgages and bonds; assessed damages and restored or quieted possessions; seized and opened letters from the "public office" and in the houses of private persons; interfered with the collection of the customs, and required the attendance of searchers and collectors to the great loss of the revenue; attacked Trinity College and ordered the provost and fellows to forbear the election of fellows and scholars, and to grant no leases of their lands or confirm any already made "till this House make further order therein"; empowered committees to seize all tobacco wherever found, and "if occasion be" to break open any doors, chests, chambers, closets or cellars; to board all ships in any port near Dublin and to take possession of all silver and gold which they should there find; and to regulate the fees in every Court in the kingdom.

Some of the proceedings of this Parliament—which, while professing itself a Legislative Assembly, acted as a revolutionary tribunal, preaching the abolition of all authority save its own—deserve a more particular notice. The Commons drew up twenty-one constitutional questions and sent them to the Lords, with a request that they

Radcliffe was at this time in the Tower, having been impeached by the English Commons. Carte says that the four were impeached to deprive Strafford of their testimony.

would order the Judges to answer them in writing. The Lords made some delay at first; whereupon the Commons transmitted the questions to the English Parliament, praying that their House would "lay down such a course, such as in their own wisdom they shall think fit, for declaration of the law in the particulars of the said questions; wherein they will fix a special obligation upon this House and upon all His Majesty's subjects of this kingdom."¹ The Judges petitioned the Lords that they should not be obliged to answer,² but the Lords ordered them to do so, adding a question of their own to those of the Commons.³ The Judges sent in their answer, affixing to it a protestation, that the questions, though only twenty-two in number, contained "at least fifty general questions," involving "most of the greatest affairs of this kingdom, both for Church and Commonwealth"; that many of them concerned the King's prerogatives, the jurisdiction of his Courts, his revenue, martial affairs and Ministers of State; that their opinions would be useless, as not binding on their successors; that most of the matters in them had already been represented to the King by both Houses as grievances, and therefore ought to be reduced into Bills, etc.⁴ When the Commons received the answer of the Judges, they at once voted it to be unsatisfactory and "absolutely to be refused," and then proceeded to make a unanimous declaration of what they considered the law ought to be upon each head contained in their own questions, passing by as unimportant the one which the Lords had added.⁵

¹ *Commons' Journals*, ii., p. 191.

² *Nelson*, ii., p. 570.

³ *Lords' Journals*, i., p. 160.

⁴ The answer of the Judges is given in *Nelson*, ii., p. 575, and is well worth study.

⁵ *Commons' Journals*, i., p. 269.

When it was proposed to impeach the Lord Chancellor, that officer expressed an opinion in the Lords¹ that as the Parliament, by Poynings' Act, could not propose laws without leave of the King, by parity of reason it could not take upon itself a judicial power without a similar permission.² The English Privy Council entertained the same doubts, and the King demanded of the Irish Parliament some precedents for their judicature. In answer to this request, both Houses united in the following declaration: "The Lords spiritual and temporal and Commons in Parliament assembled do hereby declare and protest that the said Court of Parliament of this kingdom hath always had and ought to have full power and authority to hear and determine all treasons and other offences, crimes, causes and things whatsoever, as well capital and criminal as civil, contrived, perpetrated, done, or happened within this realm; and likewise to inflict condign punishment upon all offenders and to administer equal justice unto all persons whatsoever in the said realm, according to the ancient course and rights of Parliament, in all times and ages used and exercised within the said realm of England; and that all others, the Courts of Justice and all magistrates, judges, officers and subjects of any estate, degree, quality or condition whatsoever of the said realm of Ireland are liable to the resolutions, orders and judgments of the said Court of Parliament of this realm; and that the said Court of Parliament is the supreme judicatory in the said realm."³ At the same time they addressed the King, stating that, owing to the continual wars in the country and other causes, they were unable to furnish him with precedents justifying their claim.⁴

¹ Sir Richard Bolton, though not a Peer, frequently spoke in the House of Lords.

² *Lords' Journals*, i., p. 176.

³ *Commons' Journals*, i., p. 213.

⁴ *Ib.*

To enable us to judge of the wisdom or folly of this declaration at such a crisis, it is necessary to remember that, at the time it was made, no writ of error from the Common Law Courts, or appeal from the Court of Chancery had ever been presented to the Irish House of Lords,¹ and that a writ of error lay from the King's Bench, Dublin, to the King's Bench in England. In other words, the proceedings and decisions of the Irish Bench, and of every inferior Court of Record in the kingdom, might have been rectified, confirmed, or annulled by an English Court.² If the Irish Parliament had made a search in the records, which they declared to be lost, they would have even found a case in which a judgment of their Upper House had been removed by writ of error to be examined by the King's Bench in England.³ The immediate effect of this declaration was that the English Peers, to whom it had been communicated, apprehending that it questioned the jurisdiction of their House, appointed a committee to search for records and precedents, and petitioned the King to suspend the granting of the Graces until the matter was determined.⁴

In the summer of 1641, shortly before the adjournment, a motion was made in the Lords, either by Lord Macguire or Lord Fingal,⁵ that application should be made to the

¹ The first writ of error was in 1644, and the first appeal in 1661 (Lord Montmorres, *Irish Par.*, i., p. 339).

² "Writs of error in pleas of the Crown, as well as in Civil Causes, have in all Kings' reigns been brought here, even in the inferior Courts of Westminster Hall, upon judgment given in the Courts of Ireland; the practice is so frequent, and so well known, as that I shall cite none of them to your Lordships" (St. John's Argument in Strafford's Case, Rushworth, viii., p. 696).

³ The case is given in Mr. Justice Mayart's *Treatise*. Harris, *Hibernica*.

⁴ Carte, i., p. 150.

⁵ Evidence of Lord Blaney at the trial of Lord Macguire (*State Trials*, iv., p. 658). Lord Macguire was executed for his share in the rebellion.

Lords Justices for permission to inspect the stores and munitions of war supposed to be placed in rooms under those in which the Parliament sat. The Commons joined in this application. Search was made and nothing found. The committees, to which the task had been entrusted, then requested Sir John Borlase, Master of the Ordnance, to show them the stores of powder and arms deposited in other places in the castle. Borlase was greatly surprised at this unusual request, and refused it, telling them that the munitions of war were the King's precious jewels, and could not be viewed without special cause.

On the 7th of August, 1641, the Commons adjourned to the 9th of November, having taken a new and unprecedented step. On the last day they made an order appointing a committee to sit during the recess, with power to draw certain bills mentioned therein, and also "such other bills as they shall think meet for His Majesty's service and the good of the Commonwealth ; to receive and answer all despatches from their agents in England ; and to attend the Lords Justices for the transmission of such bills under the Great Seal."¹ On the 28th of August the agents returned with bills for the redress of all grievances and the concession of all the Graces, the King having actually signed by anticipation the two granting a limitation of sixty years and a confirmation of all estates in Connaught.² The Lords Justices immediately announced the concessions throughout the kingdom.³

The conduct of the Lords Justices, on the occasion of this adjournment, has often been misrepresented; some writers, as Lingard, affirming that they prorogued the

Lord Fingal was outlawed on the 17th of November following (*Lords' Journals*, i., p. 674).

¹ *Commons' Journals*, i., p. 286.

² Lingard, vii., p. 506.

³ Rushworth, iv., p. 392.

Parliament before the return of the agents in order to defeat the passing of the Graces into Acts. In the seventh article of the statement delivered by the Confederate rebels to the King's Commissioners at Trim in March, 1642, they asserted that the Lords Justices insisted upon an adjournment for this purpose. There was no prorogation, and the adjournment was forced on the Commons not by the Justices, but by the Upper House.¹ Far from preventing the Graces, the Justices did everything in their power to hasten their enactment. On the 3rd of the preceding April, the King had ordered the Justices to transmit bills for securing to his Irish subjects the free exportation of all kinds of grain, the sixty years' limitation, the confirmation of all estates or reputed estates of the inhabitants of Connaught, Clare, Limerick and Tipperary against all the titles of the Crown, the abolition of Warrants of Assistance, and also other bills, granting the fifty-first Grace, "and for all other parts of the said Instructions and Graces not herein expressed".² On the 12th of the next month the Justices wrote to England: "we have now sent over all the Acts required by the King's letter . . . and amongst the rest that of Connaught."³ On the 12th of July, Sir Adam Loftus, one of the Irish Privy Council, wrote to Sir Harry Vane, the English Secretary of State: "We daily expect the coming of the Connaught Act and that of Limitation, and the Parliament will not incline to hear of an adjournment until they come over".⁴ The fact was, as stated

¹ "August the 6th. A report from the Lords by Mr. Attorney General and Mr. Solicitor General that their Lordships find no cause to vary from their former opinion of adjourning to-morrow; and have, upon question, so ordered it, finding no cause in the letters from the Committee of that House, nor by what they understand at the Conference, to expect the Bills desired in a short time" (*Commons' Journals*, i., p. 284).

² *Ib.*, p. 211.

³ Hickson's *Ireland* ii., Append. p. 332.

⁴ Quoted by Froude, *English in Ireland*, i., p. 104. Ed., 1887.

before, the Graces were delayed in consequence of the claim of the Irish Parliament to a judicial power, and the Upper House was weary of waiting for the return of the agents. The Lords Justices were at this time perfectly powerless to restrain the Irish Parliament, and were quite aware of their helpless condition.

What then was the cause of the Rebellion, since all the demands of the discontented had been conceded? There are only two foundations upon which a Government can rest with security: a military power to enforce obedience, or that mixed feeling which we call loyalty. When the Rebellion broke out, the army in Ireland was contemptible, consisting only of 2,000 foot and 1,000 horse, dispersed in garrisons throughout the four provinces.¹ Of attachment to the English Crown among the Roman Catholics there was no trace. Their defection was universal. Father Walsh, who resided at Kilkenny during the Rebellion, and was employed by the Supreme Council of the Confederates in their contentions with the Papal Nuncio, Rinuccini, calls it "the universal rebellion or insurrection of all the Roman Catholics of Ireland, a very few excepted".² Pope Innocent X., who, having his agents and overseers in every corner of the country, must be considered an authority of weight, says that "the whole body of Irish Catholics" rose in insurrection.³ Sir Richard Belling, secretary to the Supreme Council, who was intimately acquainted with every circumstance connected with his party, tells us that "all Irish Catholics had entered on the war".⁴ Even the towns,

¹ Letter of the Lords Justices, 25th October (Nelson, ii., p. 514).

² *Address to the Catholics, etc.*, p. 12; prefixed to his *History of the Remonstrance*.

³ "Instructions to Rinuccini" (*Embassy of Rinuccini*, p. 35).

⁴ Statement addressed to the Papal Delegate, Monsignore Scarampi, [the predecessor of Rinuccini] by Richard Belling (*History of the Confederation, etc.*, ii., p. 319).

which during the entire reign of Elizabeth had remained faithful, joined in the revolt, except the few in which there was a royal garrison. The Roman Catholics of English descent and those of the Celtic race, between whom a feud had existed for hundreds of years, were now united by their common religion. The jealousies of the two races had for a time been allayed, and they were prepared to carry out a design which "had been laid partly at home, but chiefly abroad in foreign parts, even several years before the troubles either of England or Scotland began".¹ The propagation of treason which had been going on for two generations at length brought forth its bitter fruit. For seventy years the Popes, in direct violation of the Divine law,² had in their bulls and by their ministers preached to the Roman Catholics of the three kingdoms the heretical and antichristian doctrine that a difference of religion in their sovereigns justified them in withdrawing their allegiance and in rebelling against them. As was natural and right according to their ideas of duty, the Irish bishops and clergy followed the lessons of their Supreme Pastor³ and inculcated treason as a religious duty. "The

¹ Lord Castlehaven's *Memoirs*, p. 13.

² Question: "Is the divine law then quite clear as to the allegiance due by subjects to their prince?" Answer: "Quite clear".—Dr. Murray, Roman Catholic Archbishop of Dublin. Question: "Is the claim that some Popes have set up to Temporal Authority opposed to Scripture and Tradition?" Answer: "In my opinion, it is opposed to both." (Dr. Doyle, Roman Catholic Bishop of Kildare and Leighlin, *Digest of Evidence*, pp. 409, 347).

³ On the 8th of October, 1642, Pope Urban VIII. granted a plenary indulgence to Owen Roe O'Neill and his supporters. On the 25th of May, 1643, the same Pope issued a bull bestowing a plenary indulgence "to all and everyone of the faithful Christians in the foresaid kingdom of Ireland, now and for the time militating against the heretics" (Gilbert, *Contemporary History of Ireland*, vol. i., pt. ii., pp. 524, 632). Walsh also refers to this bull: "The other was that Bull or Breve of *Plenary Indulgence* given yet more lately to all the Roman Catholics of Ireland who have joined in the rebellion, etc., etc." (*Address* 4, xi.).

Earls of Tyrone and Tirconnell," says a Roman Catholic nobleman who was a General of the Confederates, "and the Councils of Spain and Rome, and the Irish monasteries and seminaries in so many countries of Europe, and very many of the churchmen returning home out of them, and chiefly the titular bishops together with the superiors of religious orders, took an effectual course, under the specious colour of religion, to add continually new fuel to the burning coals, and prepare them for a flame on the first opportunity."¹ The opportunity had now arrived. The distractions in England, the expectation that that country would be prevented by its own troubles from interfering, and the disunion of the two great branches of the Irish Protestants² induced the Roman Catholics to adopt a course which brought innumerable calamities on themselves and on their posterity. For many years they had been looking for foreign aid; they now believed they were strong enough to do without it. And in October and November, 1641, the prophecy uttered more than twenty years before by Sir George Carew³—that whenever a favourable occasion should occur, the Sicilian Vespers would be acted over again in Ireland—was fulfilled to the letter. So effectually had the papal teaching deadened all sense of morality and all horror of crime, that the civilised lords and gentlemen of the Pale and of the rest of Ireland, though perfectly cognisant of the massacres in the North, deliberately and of their own accord threw in their lot with the savage rabble which had shed so much innocent blood.

The farce of the union between the Northern insurgents

¹ Lord Castlehaven, *Memoirs*, p. 13.

² The Roman Catholics and Presbyterians had co-operated so cordially in Parliament that the insurgents hoped to be joined by the Scotch settlers. This was the reason that Sir Phelim O'Neill charged his followers to spare the latter.

³ *Carew Papers*, 1603-24, p. 308.

and the lords and gentry of the Pale was played on the hill of Crofty, within a few miles of Drogheda, in December, 1641. A body of rebels had invested Drogheda on the 21st of the preceding November. Thereupon the lords and gentry of the Pale invited Sir Phelim O'Neill to bring his Ulster forces and take part in the siege.¹ A small army of Royalists was despatched from Dublin to relieve the town, and was defeated at Julianstown on the 29th of November. Some days after this defeat, seven lords of the Pale, and gentry "to the number of about a thousand persons at the least," assembled on the hill of Crofty. When they were thus met together, a party of the northern leaders, attended by a guard of musketeers, advanced towards the assembly on the hill. As soon as the newcomers were within hearing, Lord Gormanstone, who had signed the letter inviting Sir Phelim O'Neill into the Pale, demanded of them "why and for what reason they so came with arms into the Pale." Roger Moore answered that they had taken up arms for freedom of conscience, the maintenance of the King's prerogative, and to make the subjects in Ireland as free as those in England. Lord Gormanstone then asked them, did they really mean what they said, and, upon their declaring that they were sincere, he replied, "seeing those be your true ends, we will join you." "Unto which course all agreed. And thereupon it was then publicly and generally published and declared, that whoever should deny and refuse to join in the same, and likewise to assist them therein, they would account him as an enemy, and to their utmost labour his destruction." ²

¹ Examination of Sir Phelim O'Neill (*Contemporary Hist.*, vol. iii., pt. ii., p. 367).

² Examination of Edward and Nicholas Dowdall (*Hist. of the Irish Confederation*, i., pp. 268-285).

CHAPTER VII.

THE REBELLION OF 1641.

IF we were treating of any other country than Ireland, all men would agree that forfeiture of their possessions was a just and even lenient punishment to inflict on rebels who had massacred many thousands of their fellow-subjects, and on those who had deliberately associated themselves with a party stained with innocent blood, and would consider the Parliamentary confiscations as the natural consequences of a general revolt. But many Irish writers have denied the massacres of 1641, and all have maintained that the loyalty of the Roman Catholics to Charles I. was untainted. The evidence which proves the massacres is irrefutable, even if we leave out of consideration the thirty-three volumes of sworn depositions in Trinity College, Dublin, and limit ourselves to the testimony of contemporary Roman Catholics. Lord Clanrickard, Lord Castlehaven, Father Walsh, Father Caron, Owen Roe O'Neill, George Layburn (chaplain to Queen Henrietta), and Cornelius O'Mahony (an Irish Jesuit, living in Portugal) are authorities which cannot be displaced. In 1645, O'Mahony published a book ¹ abroad, *Superiorum Permissu*, which shows that the belief that many thousands of the Pro-

¹ *Disputatio Apologetica de jure Regni Hiberniæ pro Catholicis Hibernis adversus hæreticos. Authore C. M. Hiberno, Artium et Sacræ Theologiæ Magistro. Accessit ejusdem authoris ad eosdem Catholicos exhortatio (Francofurti, Superiorum Permissu, 1645).*

testants had been murdered was shared by Roman Catholic onlookers in foreign countries. "Persevere, my countrymen," says O'Mahony, "in the path you have entered on, and exterminate your heretical opponents, their adherents and helpers. Already, up to the present year 1645, in which I write, you have killed 150,000 of them, as they openly lament and you yourselves do not deny. I myself believe that even a greater number of the heretics has been cut off; would that I could say all." As for loyalty or affection to Charles among the overwhelming majority of Irish Roman Catholics, it did not exist. Their claim in this respect cannot be reconciled with their acts. They carried on a bloody war with the King's forces, convened a rival Parliament while his was sitting, raised taxes, despatched envoys to foreign Powers, besieged his capital city, and hawked his Crown of Ireland about Europe, offering it to any Catholic Prince who would accept it. If they were loyal, why, it may be asked, did they rebel, when all their grievances had been redressed and all their demands conceded? That it was not fear of religious oppression, or of the plantations, which induced them to revolt is shown by the fact that during the session of Parliament in which the Roman Catholic members were in a majority not a whisper was heard respecting either. In the Remonstrance of grievances, or in the Protestation against Strafford and his government there was not an expression referring to religion, or hostile to the plantations. Nor were the agents of both Houses, twelve of whom out of seventeen were Roman Catholics, ever commissioned to complain of their religious position, or of the plantations.¹ In their Remonstrance both Houses complained that many thousands of the King's subjects in the West Indies had

¹ See the "Instructions to the Agents," *Commons' Journals*, i., p. 164.

been ruined by the tobacco monopoly, and that "the worthy plantation" of the county of Londonderry had been almost destroyed, but of religion or against the plantations there was not a word. The absence of all complaint—respecting matters which were afterwards put forward in justification of the Rebellion—from a powerful body when in the ascendant will satisfy all sensible men that no such grievances existed. That it was not apprehension of the Puritans, as subsequently alleged, is shown by their alliance with the English Opposition, which consisted chiefly of that body, by their close union with the Presbyterians in the Irish Parliament, and by their attempt to allure the Northern Scotch to their side by an offer of security. In addition to these circumstances, we know that after the arrival of Cromwell the majority of the Irish Roman Catholic bishops were inclined to make terms with him, and preferred a submission to him to co-operation with the King's Lord-Lieutenant.¹ When in March, 1650, Lord Castlehaven proposed to them that they should renew their excommunication against those Catholics who had entered into compositions with Cromwell, enlisted in his service, or sent him provisions, they absolutely refused to do so.² In their Declaration against Ormond, of the 12th of August, 1650, they themselves refer to their negotiations with Cromwell, and say that "they could have agreed with the Parliament of England upon as good or better conditions" than were offered by Ormond.³

¹ O'Connor, *Hist. Address*, ii., p. 376. One of the accusations brought against Ormond's deputy, Lord Clanrickard, by John Ponce, a strong supporter of the bishops, is that he prevented a treaty with the Parliamentary party. French, Bishop of Ferns, on the 10th of January, 1651, proposed that an agreement should be made with the same party (O'Connor, ii., p. 422; Carte, ii., p. 143).

² Carte, ii., p. 121; O'Connor, ii., p. 372.

³ See the "Declaration" in the *Appendix of Instruments*; Walsh, *History of the Irish Remonstrance*.

If we did not know that opinion is the spring and motive power of action, and that a propaganda of treason had been, for more than two generations, corrupting the minds and allegiance of the Irish people, we might say that, of all rebellions, that of 1641 was the most wanton and the most unprovoked. It was in truth a fanatical outburst, the product of Papal teaching, and of the hatred engendered by that teaching against the English heretics.¹ No Protestant was engaged in it. Those of the Old Irish who had adopted the Reformed faith, as O'Brien, Earl of Thomond; O'Brien, Lord Inchiquin; Owen O'Connolly; Daniel O'Neill, nephew of Owen Roe O'Neill; the Limerick branch of the O'Gradys, the Sheridans, etc., clung to the English interest. "It appears to be a true blessing of God," wrote Rinuccini, the Papal Nuncio, on the 10th of October, 1648, "that up to this moment, in these armies which fight for the Church, not one heretic is to be found."² Taking as true the statement of Pope Innocent X. that "the whole body of Irish Catholics" had risen in insurrection, or that of Sir Richard Belling, Secretary to the Supreme Council of the Confederates, that "all Irish Catholics had entered on the war," then all might have been justly punished with confiscation. Or, if we regard the account of Father Walsh as more specific, *viz.*,

¹ Mr. Lecky says [ii., p. 163] that the General Synod of Roman Catholic bishops at Kilkenny, 1642, "expressed in the most formal and emphatic terms their detestation of the robberies, burnings and murders which had been committed in Ulster". This statement is purely imaginary. No mention or reference whatever was made by these bishops to the Ulster atrocities, as may be seen by an examination of the twenty-nine Acts of the Synod; which are to be found in the *History of the Confederation*, published by Gilbert, ii., p. 34. Nor does Carte, whom Mr. Lecky quotes as an authority for his assertion, say so. Mr. Lecky's statement that the charge of having murdered Lord Caulfield brought against Sir Phelim O'Neill "has been completely refuted" is also unfounded.

² *Embassy of Rinuccini*, p. 423.

that the rebellion of the Roman Catholics was universal "a very few excepted," these exceptions will explain the fact that 100,000 acres of *profitable* land¹ were left in the possession of innocent Roman Catholics.²

For the eight years which preceded the arrival of Cromwell the Irish had the uncontrolled possession of the greater portion of their country. The accounts which we have of the infinite distractions which prevailed among them during this period would be incredible if they were not derived from the writings of contemporary Roman Catholics.³ The interminable and ever-recurring animosities, contentions, sudden changes and defections could only have happened in a country which, like Ireland, had but lately been freed from the tribal system, and had not yet coalesced into a unity. "It is vain to hope for stability in this kingdom since affairs are never the same for two days together" wrote the Papal Nuncio in 1648.⁴ "It was not by foreign arms or the fraud of the stranger" said an Irish Roman Catholic historian writing of these times, "that Ireland was devastated and torn in pieces; but by her own children, whom she had reared with indulgence and nourished at her breast. These, like vipers, despising peace among themselves, and fomenting sedition amongst her inhabitants, lacerated her fruitful bosom. She was destroyed by her own strength and by factious men,

¹ Profitable land means good land with the bad thrown in as of no account.

² *State of the Papist and Protestant Properties in Ireland in 1641, 1653 and 1662*, in the *Thorpe Collection*; also in *Somers' Tracts*, xi., p. 438.

³ Letters and dispatches of the Papal Nuncio, *Aiazzi, Nunziatura in Irlanda*, translated by Miss Hutton, 1873: *Vindiciæ Catholicorum Hiberniæ*, 1650; Caroe, *Lyra*, etc., 1666; Walsh, *Hist. of the Irish Remonstrance*, and *Appendix of Instruments*, 1672; Paul King, *Epistola Nobilis, Hiberni*, etc., 1649; John Ponce, *Bellingi Vindiciæ Eversæ*, 1653; *Contemporary History of Affairs in Ireland*, edited by Gilbert, 1880.

⁴ Hutton, *Embassy of Rinuccini*, p. 374.

who cunningly laid snares for her Supreme Council, and iniquitously persuaded her citizens, soldiers and cultivators to reject peace, to excite tumults and to disobey the commands of her Council".¹ Dissensions raged everywhere. The ancient feud between the Old Irish and those of English descent reappeared in tenfold strength.² The Anglo-Irish laity were opposed to Rinuccini the Papal Nuncio and Owen Roe O'Neill, the commander and representative of the Old Irish. The clergy were divided, "even in religion," says Rinuccini; "there are here as many factions as there are amongst the nobles themselves".³ Of the twenty-seven bishops, seventeen supported the Papal Nuncio, whilst eight adhered to the Supreme Council, and "the religious orders were also divided amongst themselves in about the same proportion".⁴ The towns acted as independent republics. Excommunications were denounced on the most trifling occasions.⁵ Truces and treaties were made and immediately violated by the influence of the bishops and clergy. In 1646, a peace was concluded between Ormond and the Supreme Council of the Confederate Roman Catholics. The Papal Nuncio at once assembled a convocation of the Irish clergy at Waterford, and on the 12th of August, a fortnight after the peace had been proclaimed, that body unanimously denounced it as iniquitous, declared that the Council were perjurers, and issued an excommunication against all who should obey them, or

¹ Caroe, *Lyra*, p. 370.

² The mutual hatred between the Old and the Anglo-Irish is constantly dwelt on by the Papal Nuncio, see Hutton, pp. 225, 290, 408, 485, 488, etc. How deep the feeling was is shown by the language of the authors of the *Contemporary History of Affairs in Ireland* and of the *Disputatio Apologetica*.

³ "Letter of the Papal Nuncio to Cardinal Panzirolo" (Hutton, p. 334).

⁴ *Ib.*, p. 532.

⁵ *Vindiciæ Catholicorum*, p. 36.

adhere to the peace.¹ Supported by Owen Roe O'Neill, the Nuncio returned to Kilkenny, the seat of the confederation, and deposed the Supreme Council, imprisoning all its members, except two, as betrayers of their religion and country.² The clergy at once became masters of the kingdom, and appointed a new Council with the Papal Nuncio as its president. The first step of the new Government was to despatch the armies of O'Neill and Preston to besiege Dublin, then held by Ormond for the King. But this attempt was a complete failure, owing to the hatred and suspicion which prevailed between the forces of Preston and the Old Irish under O'Neill—each army fearing an attack from the other.³ This failure and the odium caused by their seizure of the supreme power, compelled the clergy to call a General Assembly which met in the following January, and in which the lay element gradually recovered its preponderance. In July, 1647, Ormond, believing that Rinuccini and the Old Irish were resolved on transferring the Crown to a foreign prince, and hoping that Dublin would be restored to the King when he and his subjects were again reconciled, delivered up that city to commissioners of the Parliament, and departed from Ireland. During this year two large armies of the Confederates were destroyed; one, that of Preston, by Jones at Dungan Hill; the other, Lord Taaffe's, by Inchiquin at Knocknoness. Shortly after this latter battle, Inchiquin declared for the King, and the Supreme

¹ "Rinuccini's Report on the Affairs of Ireland presented to Innocent X." (Hutton, p. 498).

² *Vindiciæ Catholicorum*, p. 35. "Rinuccini's Report" (Hutton, p. 504).

³ "It was impossible to reconcile them [Preston and O'Neill] since what one proposed the other objected to . . . the Leinster men began to doubt if O'Neill had any other aim than to overpower them; the Ulster, that Preston had already made a compact with the Marquis [Ormond] to place them between the two armies and put them to flight." "Rinuccini to Cardinal Pamphili" (Hutton, p. 227).

Council resolved to make a truce or cessation with him. Accordingly it was concluded with Inchiquin, and proclaimed on the 22nd May, 1648. On the 27th of the same month Rinuccini, fearing that the design of the truce was to bring back Ormond,¹ pronounced a sentence of excommunication against all who were accomplices in or adherents to the truce, and an interdict on all places in which it should be accepted or recognised.² The Supreme Council immediately appealed to the Pope against the Nuncio's censures as being erroneous both in matter and form,³ and at the same time published an admonition to the Confederates, reminding them that the acts of the Nuncio could not affect the obedience due by them to the Council. Rinuccini fled secretly from Kilkenny and took refuge with Owen Roe O'Neill, who was then at Maryborough. On the 11th of June Owen Roe, regardless of his oath of obedience to the Supreme Council, declared war against that body and all who should obey it, and wasted the quarters of those who adhered to it with fire and sword.⁴ On the other hand, the Council proscribed Owen Roe and despatched their generals, Preston and Taafe, against him.

¹ Hutton, p. 408. Carte. ii., p. 32.

² "Report of Rinuccini to the Pope" (*Ib.*, 531). The excommunication may be read in *Vindiciæ*, p. 90; or in Walsh's *Appendix of Instruments*, p. 34.

³ The Appeal is dated the "last day" in May, 1648, and is in Walsh's *Appendix*, p. 35. It was rejected at Rome as frivolous (O'Connor's *Hist. Address*, ii., 414). The nobles and gentlemen who opposed the Nuncio's censures were not absolved until 1698 (*Burke, Hibernia Dominicana*, 690). Eight bishops were also included in these censures, of whom the Archbishop of Tuam was absolved in 1657; Killala in 1659; Ardagh, Kilfenora and Dromore were still unabsolved in 1659; Routh of Ossory died in 1650 and Dease of Meath in 1651, both apparently unabsolved. O'Dwyer of Limerick died at Brussels in 1654, and was buried at night as excommunicated.

⁴ *Vindiciæ*, pp. 118, 119.

Rinuccini, after his flight from Kilkenny, had intended to call a national synod of the clergy at Athlone to confirm his censures, but this plan was defeated by the capture of that town by Preston, the general of the Supreme Council. The Nuncio therefore removed to Galway and there summoned a synod. The Supreme Council was resolved to prevent it, and "for this purpose they posted troops of horse on all the different roads and drove back the bishops and all the other ecclesiastics,"¹ so that the synod could not be held. In September 1648 the General Assembly of the Confederates met and ratified all that their council had done in the matters of the truce and the appeal. They denounced Owen Roe as an enemy of his country and religion, and resolved that the Nuncio, if he did not depart of his own will, should be expelled the kingdom as a public incendiary.² To effect this, they wrote to him in the name of their Speaker, forbidding him to interfere any longer, either directly or indirectly, in the affairs of the kingdom, and admonishing him to leave a country "against which he had for the space of three years committed many oppressions, enormous crimes, and capital offences, to the unspeakable detriment of religion, the ruin of the nation, and the disgrace of the Roman See".³ They also published an edict forbidding the people of Galway and the other Confederates under severe penalties to hold any communication with the Nuncio or to obey his censures and interdicts.⁴ Rinuccini lingered at Galway for some time, waiting to see how Ormond, whose return was then expected, would be received by the General Assembly. On

¹ "Report of Rinuccini to the Pope" (Hutton, p. 539).

² *Nihil reliquum visum est Comitibus quo natio tota ab integra et præsentī ruina servari forte posset, quam si Reverendissimus Nuntius e regno rogatus et lubens proficisceretur, aut si renueret, tanquam incendiarius publicus invitus expelleretur* (*Vindicatio*, p. 146).

³ *Ib.*, pp. 148-160.

⁴ *Ib.*, pp. 161-164.

the 23rd February, 1649, he left Ireland and arrived in France, where he remained six months, encouraging his adherents to oppose Ormond and to give effect to his censures.¹

Three months before the Nuncio departed, Ormond had returned to Ireland with the vain hope of uniting parties which were incapable of cohesion for any length of time. When he landed in September, 1648, Owen Roe O'Neill was at war with the Confederates, and at the same time endeavouring to make his peace with the English Parliament. For this purpose he had sent an agent to London offering to support that party on certain conditions, and had also concluded a cessation with Jones, their general, in Dublin, and with the Scots in the North.² Ormond brought to his task unwearied diligence and patience. He succeeded in rallying to the King the Irish of English descent, the English Royalists who had fled to Ireland at the end of the first Civil War, and a strong party among the Scots of Ulster. In January, 1649, he concluded a peace with the General Assembly of the Confederates, containing very favourable terms for the Roman Catholics.³ The first results of this union were that Sligo, Drogheda, Dundalk, Waterford, Trim, Newry, and all the strongholds in the kingdom, except Dublin and Derry, were recovered for the King. Encouraged by these successes, Ormond advanced to the siege of Dublin, where he was totally defeated by Jones on the 2nd of August, 1649. A fortnight later Cromwell landed at Dublin, and in September took

¹ *Vindiciæ*, p. 175.

² Ludlow, i., p. 255. Carte, ii., p. 36.

³ One of the articles of this peace will raise a smile: "That two Acts lately passed in this kingdom, the one prohibiting the plowing with horses by the tail, and the other prohibiting the burning of oats in the straw, be repealed." The repeal of these Acts was one of the demands of the Confederates.

Drogheda by storm. From this time, complete confusion reigned among the Irish. Though Ormond at length succeeded in making a treaty with Owen Roe, who was dissatisfied with the Parliament for rejecting his terms, he was unable, owing to the cabals which sprang up in every corner of the country, to check the progress of the Parliamentary forces. Emboldened by the defeat of Ormond at Dublin, the adherents of the Nuncio, and especially the regulars, resumed their intrigues. They inveighed against Ormond and his supporters as enemies of God and man;¹ accused him of treachery; complained that the Nuncio, a man who had done so much for Ireland, had been driven away by Ormond and his faction; clamoured that he should be recalled and entrusted with supreme power, and preached everywhere that, as they had to submit to a heretic, it mattered little whether the submission was made to Cromwell or to Ormond.² Many of the towns, which were strongly influenced by the Nunciists, declined to recognise the authority of Ormond. Wexford was betrayed to Cromwell by one of the Nuncio's adherents. Waterford, Limerick and Galway refused to receive garrisons of Ormond's troops. At Waterford it was proposed in the Common Council of that town, to seize Ormond's person and to fall upon his followers as rebels and enemies.³ The

¹ Nunc inter nos regnat discordia a Rinuccinianis pridem sata, et ab iisdem etiam nunc studiose ac jugiter fota ac nutrita; qua sit ut illi alios minus sibi consentientes ac inprimis Proregem ejusque Assessores, licet omnes ad unum Catholicos, proditorum religionis et patriæ hominumque Deo et sanctis ejus invisorum loco habeant et ab aliis haberi velint (*Vindiciæ Catholicorum*, lib. i., 235).

² Rinucciniani passim prædicare non verentur; quando alterutri e duobus hæreticis succumbere necesse est (Ormondum intelligunt et Cromwellum) uter prævaleat, utri parendum, susque deque ferendum est (*Vindiciæ*, i., 236).

³ The works of French, Bishop of Ferns; of John Ponce; the *Contemporary History of Ireland*; and the letter of Paul King, display the intense hatred borne to Ormond by the adherents of Rinuccini.

bishops thought they had an opportunity of regaining the power they had exercised in the time of the Nuncio, or as Ormond expressed it, they were affected with "their itch to have a hand in the civil and martial affairs" of the kingdom.¹ On the 13th of March, 1650, twenty-four of them proposed to the Lord-Lieutenant that a Privy Council should be appointed to sit with him "and determine all weighty affairs of the country by their counsel." Ormond objected to the formation of such a body at a time when unity of action was so necessary for the cause of the King. On the 24th of July following, two of the archbishops announced to him that they and their brother archbishops intended to convene a synod of bishops at Jamestown on the 6th of August, and requested him to send to the synod "proposals for the safety of the nation." To this unusual demand Ormond replied that all the late failures and losses had been caused by disobedience, "and that the spring of those disobediences had arisen from the forgeries invented, the calumnies spread against the Government, and the incitements of the people to rebellion by very many of the clergy." He allowed the synod to meet with an expression of hope that their consultations would lead to an amendment of the errors which were doing so much mischief. The bishops soon disclosed the object at which they were aiming and their real feeling to Ormond. On the 10th of August their synod sent the Bishop of Dromore and the Dean of Tuam to him with a letter requiring him to leave the kingdom; and on the 12th, without waiting for his answer, they drew up a Declaration against the continuance of the royal authority in his person and excommunicated all who should adhere to him or obey his commands.²

¹ "Ormond's Letter to the Lords and Gentlemen assembled at Lough-reah" (Walsh, *Appendix of Instruments*, p. 76).

² All the documents mentioned above are to be found in Walsh's *Appendix of Instruments*.

Ormond seeing that he could effect nothing against the opposition of the bishops, left the kingdom on the 11th of December, 1650, having appointed Clanrickard as his deputy.

Clanrickard, though a Roman Catholic, received no better treatment than Ormond had experienced. All his efforts to support the Royal cause were thwarted by the bishops. He was hated by the Nunciists for having opposed Rinuccini, and for having besieged him in Galway. They asserted that he was included in the Nuncio's censures, and was therefore excommunicated. A few months after his acceptance of the government, Clanrickard sent two commissioners, Sir N. Plunket and Geoffrey Brown, to Brussels; who were, with Lord Taaffe then abroad, to make a treaty with the Duke of Lorrain for the advance of money to carry on the war. About the same time a committee of the bishops, behind Clanrickard's back, appointed French, Bishop of Ferns, and Sir J. Preston, jointly or separately, to conclude on their behalf a treaty with the same Prince, "whom," they said in their Commission, "we elect to be the Royal Protector of the Kingdom of Ireland".¹ On the arrival of Plunket and Brown at Brussels, Taaffe being in Paris, they found the Bishop of Ferns there with the Duke, treating with him in virtue of the secret commission of the prelates. The Bishop of Ferns represented to Clanrickard's commissioners that the deputy was excommunicated *a jure et homine*; that at Rome he was accounted a great contemnor of the authority and dignity of churchmen, and persecutor of the Nuncio; and that their authority was derived from "a withered, accursed hand".² Persuaded by the authority

¹ "Quem in Regium Protectorem Regni Hiberniæ eligimus." The Commission is in Burke's *Hibernia Dominicana*, p. 700.

² *Memoirs of Clanrickard*, p. 114.

of the bishop, Clanrickard's commissioners, concealing the instructions given them by him, and acting on the instructions of the prelates, signed a treaty with the Duke on the 2nd of July, which conferred on him the real sovereignty of Ireland. Seven weeks elapsed before Plunket and Brown informed Clanrickard of the treaty which they had made. When Clanrickard had received notice of it, he immediately wrote to the Duke repudiating the treaty, and to his commissioners accusing them of having violated their trust.¹ The bishops, however, were resolved to accept the treaty their agents had made. On the 29th of July, Reilly, Archbishop of Armagh, summoned a synod of his province. There they decreed that no bishop should be admitted in future to the General Assembly till he was absolved from the Nuncio's censures; declared the Duke of Lorrain Protector of the kingdom, and that all who did not submit to the Duke should be excommunicated; resolved that the old confederacy should be revived, and that the bishops of each province should name two, and that the eight so nominated should have the government of the whole kingdom, subject to the assent of the bishops in all matters.² Having thus upset the existing Government, they drew up and signed an excommunication against Clanrickard and all who should adhere to him.³ The Acts of the Armagh Synod were adopted by a synod in Leinster, and also by a synod in Connaught. While the bishops and clergy were declaring and decreeing, the Parliamentary forces were gaining possession of the fords of the Shannon and the passes into Connaught—the only province then held by the Confederates. Limerick was surrendered on the 27th of

¹ "Letter to the Duke of Lorrain" (*Memoirs of Clanrickard*, p. 88).

² Carte, ii., p. 153; O'Connor, *Hist. Address*, ii., p. 461.

³ Carte, ii., p. 153; *Hist. Address*, ii., p. 461.

October. The fate of Galway was delayed for some months by the death of Ireton; but on the 12th of May, 1652, that town also capitulated, and the rebellion was at an end.¹

The miseries brought upon Ireland by the rebellion were incalculable and beyond conception. While their natural leaders, both ecclesiastical and secular, were fighting or scheming, the people were dying in hundreds. Europe has seldom witnessed such a scene of suffering as prevailed in the unhappy country during the eight years which preceded the arrival of Cromwell. To use the language of two Roman Catholic archbishops, Ireland had become "the fable and reproach of Christianity".² From the first beginning of the outbreak law and order were at an end. A system of general pillage was instituted, and tumultuary mobs took possession of the country. Industry was paralysed and every man did that which was right in his own eyes. Bands of marauders ranged up and down through the land, and seized upon any property they desired. The report of "rich and easy bootyes" obtained in the North, spread into the other parts of Ireland, and the "multitude, armed but with clubs and skeins ran to partake of so plentiful a harvest. Here, you might see seven or eight fellows driving through the plains of a territory, well inhabited, forty or fifty English cows, as leisurely and as securely as if they had bought them at the next market; there, as many more attending on a fair flock of sheep as quietly as if they were but herds that led them to fresh pastures; and in a word, the confusion of the times and the least countenance of force authorised very

¹ Ross Castle, in Kerry, was the last stronghold which held out. It surrendered to Ludlow on the 27th of June, 1652.

² "Letter of the Archbishops of Dublin and Tuam to Ormond, 24th July, 1650" (Walsh, *Appendix of Instruments*).

exorbitant and scarce credible actions.”¹ But the depredations, even in this early stage, were not limited to any one class; they were universal. The Synod of Roman Catholic Bishops, which met at Kells in March, 1642, five months after the rebellion broke out, declared, in one of the Acts of the Synod, that the country was afflicted and exhausted with “the infinite and horrible evils” which resulted from the want of chastisement and correction. “It is universally known and is too certain,” say they, “that all the possessions of the inhabitants, both ecclesiastical and lay, in every part of the country are, without respect of persons, being destroyed. Widows are rendered desolate; the rich are pauperised; the poor are treated with violence; farmers are marked out for outrage; cultivation is prevented and is wholly ceasing; order and subordination have disappeared, and every man is turning soldier for the purpose of waste and extortion.” The establishment of a Supreme Council brought but little relief to the country. In their appeal to the Pope in 1648, more than fourteen months before the arrival of Cromwell,³ the Supreme Council give a lamentable account of the desolation of the province of Munster, “lately most flourishing”. They describe it as rent in pieces, its cultivation given up, its inhabitants labouring under want and famine, and deserting their lands and farms. They declare that the counties of Waterford, Tipperary, Limerick and Kerry had been utterly consumed by fire and sword. These evils are attributed by them to the constant and

¹ *History of the Irish Confederation and the War in Ireland, 1641-43*, i., p. 24. The editor of this book attributes it to Sir Richard Belling, secretary to the Supreme Council.

² “Proceedings at the Synod of the Province of Armagh, held at Kells, 22nd of March, 1642” (*History of the Irish Confederation*, i., p. 290).

³ The Appeal is dated 31st of May, 1648. Cromwell landed the 14th of August, 1649.

unchecked incursions of O'Brien, Lord Inchiquin ; but the depredations of that chief in Munster were mild in comparison with the ravages of Owen Roe O'Neill and his Ulster soldiers in the provinces of Leinster and Connaught. His troops "barbarous enough by nature, although good Catholics¹," driving their innumerable cattle before them, and attended by their women and children, literally ate up the country, and perpetrated all the excesses to be expected from a horde of savages let loose on a land inhabited by their enemies.² "Never," wrote Rinuccini to Sir Richard Belling in 1646, "did barbarians or Scythians commit such atrocities as the soldiers of Owen Roe O'Neill, and I am obliged to bear the odium of them, as these scoundrels call themselves my army³." Speaking of Owen Roe's attempt on Kilkenny, the author of the *Vindiciæ Catholicorum* says, "he, according to his usual custom, devastated the country far and wide, slaughtered innocent Catholics, and plundered every place, not sparing even the churches and their sacred utensils".⁴ On one occasion, when it

¹ Rinuccini's description of them (Hutton, p. 283).

² "Our own forces of the Ulster army devouring what was left by the common enemy, and in hostile wise destroying all places which by others were left untoucht. . . . So great a dearth of corn as Ireland hath not seen in our memory ; and so cruel a famine which hath already killed thousands of the poorer sort . . . lastly, so much dissension, such distance and such malignant hatred 'twixt ourselves within the body of the Confederates."—Answer of the Roman Catholic Bishop of Meath and sixteen ecclesiastics of position to queries propounded by the Supreme Council, 14th of June, 1648.

³ *Vindiciæ Catholicorum*, lib. ii., p. 13. To Rome the Nuncio wrote in 1647: "One thing I cannot pardon ; either through gratitude for the money given last year, or for the glory of his country, or for some other purpose, he [Owen Roe] allowed his soldiers to call themselves the army of the Pope and the Church. The result is that whenever the Ulster soldiers . . . perform any act of cruelty or robbery, the sufferers execrate His Holiness and me, and curse the clergy whom they consider the patrons of this army" (Hutton, p. 283).

⁴ *Vindiciæ Catholicorum*, lib. i., p. 134. "It cannot be denied that during the whole war, the Ulster soldiery had treated the people with such harsh-

was feared that Rinuccini intended to send Owen Roe and his army into Munster to support his creature Glamorgan against Muskerry, the gentry of that province declared to the Supreme Council, that though they were obedient sons of the Church and faithful to the Confederate cause, they would join Ormond, Inchiquin, or the Turk, rather than expose themselves to be destroyed and enslaved by the Ulster forces.¹ The hatred and fear inspired by the cruelties of the Ulster men were so great, that at one time, long before the arrival of Cromwell, and before Owen Roe had declared war against the Supreme Council, it was proposed to disarm them all in one night when distributed in their quarters; at another time, to massacre them.² In addition to the evils and ravages of the intestine wars, famine and pestilence had invaded the country. The long continuance of the internecine struggles, the destruction of crops, the stoppage of agricultural industry, and the loss of cattle and sheep brought with them famine, and famine produced its invariable attendant—pestilence. The stock of cattle and sheep was almost destroyed, so that when Parliament obtained possession of the country, it was found necessary to issue a proclamation forbidding the killing of lambs or calves.³ In 1652, the inhabitants of

ness that they had excited a very bitter hatred against them; and in this matter it appeared that the General was wanting in his duty, as there was reason to suspect that he did not punish the guilty, and for no other reason than that he was in fear of losing his followers.”—“Report to the Pope by the Nuncio after his return from Ireland” (Hutton, p. 517).

¹ Carte, ii., p. 3. “The Ormondists [Confederates who supported Ormond] who came from the districts he [Owen Roe] occupied . . . had but one answer to the questions I put to them, ‘they wanted no Ulster men in Munster’. The same thing was repeated in very coarse terms to myself by a very good Catholic.”—“Report to the Pope” (Hutton, p. 532).

² Hutton, pp. 364, 395. See also *History of Contemporary Affairs in Ireland*, i., p. 185.

³ Ludlow, *Memoirs*, i., p. 292.

Dublin were obliged to buy their meat from Wales, there being none in that city.¹ Ludlow declares that he was informed by "persons deserving credit" that, owing to the universal depredations, many of the Irish were driven to such extremities by the famine, even in the first year of the rebellion, that they roasted and ate the bodies of men. Colonel Laurence says that an officer of his acquaintance once came upon a company of old women and children cooking and eating portions cut off from a dead body round which they were sitting. The same gentleman has left us an appalling picture of what came under his own eyes at the close of the rebellion. "What the sword spared, the grievous famine and dreadful pestilence devoured . . . about the years 1652 and 1653 the plague and famine had swept away whole countries, that a man might travel twenty or thirty miles, and not see a living creature, either man, beast or bird, they being all dead or had quit those desolate places, that our soldiers would tell stories of the place where they saw a smoke, it was so rare to see either smoke by day, or fire or candle by night; and when we did meet with two or three poor cabins, none but very aged men with women and children, and those with the Prophet might have complained, 'we are become as a bottle in the smoke, our skin is black like an oven because of the terrible famine.' I have seen those miserable creatures plucking stinking carrion out of a ditch, black and rotten, and have been credibly informed they have digged corps out of the grave to eat."² This description is similar to that of Ireton, who says that, in his circuitous march from Waterford to Limerick, he passed through districts of thirty miles together, with hardly a house or

¹ Petty, *Political Anatomy of Ireland*, p. 26. Thom, *Tracts and Treatises*.

² *Interest of Ireland in its Trade and Wealth*, ii., p. 86.

living creature to be seen.¹ The country was a wilderness. More than half of the inhabitants had perished, and wolves had taken the place of men. Hunts for the destruction of these animals were instituted throughout the kingdom at the public expense, and the assessments on the counties for this purpose were a serious charge; six pounds being offered for the head of a bitch wolf and five for that of a dog wolf, with lesser sums for the heads of cubs.

In September, 1653, the Parliamentary Government declared the rebellion to be at an end, and proceeded to settle the country on the lines of an Act which had been issued in the preceding year, before the complete conquest of the kingdom.² There were two parties which the English Government considered deserving of punishment. The Irish Protestants who had fought under Ormond after the death of the King against the Parliamentary forces; and the Roman Catholic nobility and gentry who had commenced the rebellion, and fought against both the King and the Parliament, or had contributed supplies to the combatant rebels. In 1647, Ormond had submitted to the Parliament, and had delivered up the city of Dublin to its Commissioners. In the following year, he returned to Ireland, and renewed his efforts on behalf of the King. This return, after submission, was a very questionable proceeding, and had a most injurious effect on the negotiations then going on at Newport between the King and the Puritans. By his submission and departure from Ireland, Ormond had placed himself in the position of the English Royalists, who, at the end of the first Civil War in

¹ Prendergast, *Cromwellian Settlement*, p. 79, 2nd edition.

² "Settling of Ireland, 12th of August, 1652" (Scobell, *Acts and Ordinances*, p. 197).

1646, had come to terms with the successful party,¹ and the Parliament naturally regarded his resumption of arms as a breach of faith. They therefore determined to punish Ormond and those who had borne arms under him against Cromwell and the Parliamentary forces. At first, it was intended to transplant the landowners among them, but by two ordinances of Cromwell, more favourable terms were granted to them, and they were generally allowed to compound for their delinquency by a fine of two years annual value of their estates.² As for the Roman Catholic landed proprietors, "the chiefest and eminentest of the nobility, and many of the gentry, had taken conditions from the King of Spain, and had transported forty thousand of the most active, spirited men, most acquainted with the dangers and discipline of war".³ The rest of the landowners, the bulk of the people being undisturbed,⁴ were transplanted to Connaught, where they received portions equal to one-third or two-thirds of the estates formerly enjoyed by them, according as they had, or had not, borne arms in the rebellion.

At first sight it appears hard that those Roman Catholic proprietors, who had not borne arms in the rebellion, should only receive an equivalent for two-thirds of their

¹ A portion of these Royalists streamed over to Ireland after the failure of their cause in England, and found their fate at Drogheda.

² "Indemnity to the English Protestants of the Province of Munster in Ireland, 27th of June, 1654," "Protestants in Ireland admitted to Compound, 2nd September, 1654" (Scobell, *Acts and Ordinances*, pp. 317 and 359).

³ Quoted by Mr. Prendergast from Gookin's "Great Case of Transplantation discussed" (*Cromwellian Settlement*, p. 139).

⁴ That is "husbandmen, ploughmen, labourers, artificers, and others of the inferior sort," and "every person and persons having no real estate in Ireland, nor personal estate to the value of ten pounds," a sum equivalent to fifty pounds now. See *Act for the Settling of Ireland*, sections 1 and 9.

former estates. But the Parliament knew well that the rebellion had been as universal as Father Walsh, Sir Richard Belling and Pope Innocent X. describe it, and that all, with very few exceptions, who were allowed to retain their lands, had either fought on the side of the Confederates or contributed money or supplies to its maintenance. When the Parliamentary Settlement came to be revised in the reign of Charles II., it was laid down in the Act of Settlement that no Roman Catholic who had enjoyed his estate within the rebels' quarters should be regarded as innocent of the rebellion. This likewise appears to be a hard condition. But it is unfair to charge the Parliament with harshness, or to say that the condition respecting innocents in the Act of Settlement was unjust without taking into consideration what had actually occurred. There is no reason to believe that there were fifty Roman Catholic proprietors of land in the whole of Ireland who were not engaged in the rebellion, either directly as combatants or indirectly as contributors and supporters. The principals in the rebellion, the Supreme Council of the Confederates and the bishops, had taken good care that all should be equally guilty, and that no one should be allowed to enjoy his estate quietly in their quarters without joining their Confederation. When the lords and gentry of the Pale united with the Northern rebels in December, 1641, they "publicly and generally published and declared that whosoever should deny and refuse to join in the same and likewise to assist them therein, they would account him as an enemy, and, to their utmost, labour his destruction". In their Kilkenny synod of May, 1642, the bishops excommunicated "all and every such as forsake this union, do fight for our enemies, accompany them in their war, defend or in any other way assist them, as giving them weapons, victuals, counsel, or

favour," and reserved for the local ordinaries "the judgment and punishment of the neuters".¹ Thus John Fitzgerald, knight of Kerry, was the only Roman Catholic of rank in that county who refused to join in the rebellion. He was excommunicated for his neutrality by the Roman Catholic bishop.² Thomas Dease, Roman Catholic Bishop of Meath, had laboured earnestly to keep the nobility and gentry of his diocese from embarking in the rebellion, and had declined to attend the Synod of Kells, which in March, 1642, pronounced the rebellion to be a lawful and pious war. The bishop was accused of having said that the war was groundless and unjust. The synod ordered him, under pain of incurring *heresy* and of being reported to the Pope, "to recant clearly and fully all that he had said against the present war and the pious efforts of the nobility," and to subscribe the acts of the synod within three weeks. In case of non-compliance within the time appointed, they suspended him from his office until he changed his mind.³ Not only did the bishops in their synods excommunicate those who declined to join their association, but they ordained that all those who were "stubborne or dangerous" should be transported from their own to another part of the country, there to be safely kept.⁴ The Supreme Council of the Confederates was not behind the bishops.

¹ Seventeenth Act of the Irish Congregation at Kilkenny, May, 1642 (*History of the Confederation*, ii., p. 34).

² Hickson, *Ireland in the Seventeenth Century*, i., p. 156.

³ *Uterius vero etiam, nisi, uti præmissum est, satisfecerit et obedierit præfatus Dominus Thomas, Medensis Episcopus, volumus, definimus, et declaramus, eundem D. Thomam, Medensem Episcopum, elapsis tribus supra dictis septimanis ab officio suspensum fore, et pro tunc esse donec resipiscat.* Proceedings of Armagh Synod (*History of the Confederation*, i., p. 290).

⁴ "If any one stubborne or dangerous be found in one province, county, or town, let him be sent to another province, county, or town, where he may be safely kept, and, with lesse danger or losse of others, remain."—Twelfth Act of the Kilkenny Synod (*Ib.*).

They treated all neutrals as enemies, and ordered the rents of their estates to be paid to their own officials. The Earl of Thomond was at first a neutral,¹ and desired to live quietly in his castle. His agents received the following order:—"By virtue of a commission from the Right Honourable the Supreme Council to us directed for the receiving of all rents due since Easter or May last out of enemies' and neuters' estates within the County of Clare; these are therefore to will and require you that you shall not receive or take up any rents due as aforesaid within the said county, as you shall answer the contrary at your peril."² A few days before this order, the earl's tenants had been directed by Commissioners from the Supreme Council not to pay their rents to his agents "to prevent their double loss".³ Sir Teige M'Mahon had refused to join the Confederation or to take the oath of association; he was threatened with the loss of his castle and of all his other possessions.⁴ Sir Thomas Sherlock, a Roman Catholic, for refusing to join the Confederation and to lend money to buy ammunition from France, was stripped of everything, "so that himself, lady, and children had not so much as their wearing clothes left," and was turned out of his castle of Butlerstown "in his slippers, without stockings, leaving him only a red cap and green mantle".⁵ Another Roman Catholic of rank, the old Earl of Westmeath, for refusing to join the insurgents of the Pale, and to send a certain

¹ "It was resolved in Councell that if he (the Earl) could be thus compelled to joyne in their Association, without toucheing upon his religion, he should be in the condition of other Confederates; or if, without adhearing to the enemy, he did continue neuter, a competent part of his estate should be set forth for his livelihood, and noe declaration made by which hee should be subject to the penaltie of neuters" (*History of the Confederation*, i., p. 137).

² *Ib.*, iv., p. 54.

³ *Ib.*, p. 53.

⁴ *Ib.*, xxix., p. 31.

⁵ Thurloe, v., p. 238. Prendergast, pp. 275, 483.

number of men to the siege of Drogheda, was so harshly used by them that he attempted to escape to Dublin. On his way he was attacked by a strong body of rebels who robbed him, stripped his wife and her attendant in a shameful manner, and so maltreated the old earl that he died shortly afterwards. His house and property were also destroyed to the value of twenty thousand pounds.¹ When we find that the whole spiritual and temporal authority which then existed in Ireland was made use of to coerce all men into rebellion, and that the only choice given was revolt or ruin, we may well wonder that even "the very few" mentioned by Father Walsh were able to resist the pressure. The existence of the rule, which excluded from innocence those who had quietly enjoyed their estates in the rebels' quarters, is to be ascribed to the action of the bishops and of the Supreme Council of the Confederates, which made it almost impossible for a Roman Catholic to adhere to his allegiance. The rule was long debated in the English Privy Council before it was inserted in the Act of Settlement. "But," as we are informed by the Attorney-General, "the reason which prevailed for the inserting of it was this: that the rebellion was almost twenty years before the passing of the Act; and the Irish having murdered all the English or driven them away, it was not possible to find a witness against some persons in the whole barony. And it being certain no man could live quietly among the Irish who did not comply with them, the very enjoying an estate in those quarters was left in the Act as a mark of delinquency".²

When at the end of the rebellion the adventurers and soldiers received possession of the lands allotted to

¹ Archdall's *Peerage*, i., p. 240 and note; O'Connor, *Hist. Address*, ii., p. 229.

² Report of Sir Heneage Finch, Attorney-General, made in Council on February 1, 1670-1 (Carte, Appendix).

them under the Parliamentary settlement, Ireland was a desert. But the new proprietors set to work with a will, aided by the farmers and peasants who remained in their homes, and were employed as tenants or servants. The adventurers and soldiers speedily effected a change in the face of the country. Houses were erected, plantations of trees made, seats were built and parks enclosed. The new owners were easy landlords, and their tenants, remembering the ravages of the war, could not but compare their present security with their former misery. "The farmers," says Mr. Prendergast, "found their condition improved under the Cromwellians¹." "Nothing is farther from the truth," wrote Archdeacon Lynch in his reply to a book published by another Roman Catholic before the Restoration of Charles II., "than the statement that the lower orders of the Irish desire the re-establishment of the Confederation. For now the farmers of that country conduct themselves with an insolent petulance they never showed before; as the Parliamentary Governors, though they have not entirely freed them from impositions and taxes, have yet greatly lightened their burdens. Whence it is, that revelling in abundance they have become saucy, and, like men wholly devoted to the acquisition of wealth, prefer, by many degrees, their present to their former condition".² The rapid advance of the country in prosperity made a deep impression even upon the enemies of the Puritans. "It cannot be imagined," says Lord Clarendon, "in how easy a method and with what peaceable formality this whole great kingdom was taken from the just lords and proprietors, and divided and given amongst those who had no other right to it but

¹ *Cromwellian Settlement*, p. 347.

² *Alethinologia*, i., p. 136. The archdeacon makes use of the word *plebem*, not *populum*.

that they had power to keep it. . . . And which is more wonderful, all this was done and settled within little more than two years to that degree of perfection, that there were many buildings raised for beauty as well as use, orderly and regular plantations of trees, and raising fences, and enclosures throughout the kingdom, purchases made by one from the other at very valuable rates, and jointures made upon marriages, and all other conveyances and settlements executed as in a kingdom at peace within itself, and where no doubt could be made of the validity of titles." When the Parliamentary settlement had been accomplished, Ireland was incorporated with Great Britain and the first Legislative Union was effected.¹

¹The three kingdoms were represented in the Parliaments of 1654 and 1656; a third united Parliament was called by Richard Cromwell, in November, 1658.

CHAPTER VIII.

THE ACTS OF SETTLEMENT. FIRST PERIOD OF THE REIGN
OF JAMES II.

AT the commencement of the reign of Charles II., the three provinces of Leinster, Munster and Ulster were in the possession of the adventurers, the soldiers, the Protestants who had not fought against the Parliamentary forces, or who had compounded for their delinquency, and of the few Roman Catholics who had not engaged in the rebellion. The title of the two last-mentioned classes could not be assailed, but the adventurers and soldiers stood in a very different position. The adventurers, who had advanced their money on the faith of English statutes to which the late King had given his assent, knew well that chicanery is always forthcoming at the call of injustice, and the soldiers had nothing to rely on but a Parliamentary title. They therefore united and determined to submit their interests to the King, for whose restoration they had declared earlier than the Royalists in England. On the 30th of November, 1660, Charles issued his declaration for the settlement of Ireland and the satisfaction of the several claimants. This declaration was the foundation of the Act of Settlement. The first clauses of the declaration, which were inserted in the Act, confirmed the adventurers and soldiers, with certain exceptions, in the lands of which they were possessed on the 7th of May, 1659. After securing the adventurers and soldiers, the Act proceeded to make provision for those Roman Catholics who should be found innocent of the

rebellion and for other classes of claimants, if lands should be found for them. But as its possessions had been restored to the Church, and enormous grants made to the Duke of York, Ormond, Monk, and others, it was soon found that the claims far exceeded the means of satisfying them. The only hope of arriving at peace lay in voluntary defalcations from the interests of those whose rights had been already secured. The adventurers and soldiers were willing to make a sacrifice in order to obtain an undisturbed title. Negotiations took place between them and the representatives of the dispossessed Roman Catholic proprietors, and a settlement was effected which ought to have been considered final by all parties. This was the origin of the Explanatory Act which was passed in 1665. That the above is an accurate account of the Explanatory Act is shown by the history of it which the highest authority, namely—the man who drew it¹—has left us. “Now, the beginning and progress of the Explanatory Act was thus: The stock of reprisals being deficient, and so no hopes for such Irish as were to be restored after reprisals, a bill was sent over to retrench from adventurers and soldiers a sixth part to enlarge the stock of reprisals. The Irish complained of this as too little, alleging that the false admeasurements and concealments with which they could charge the English would come to much more. Thereupon the English entered into a treaty with those who undertook to act for the Irish here, and they were persons of eminent rank among the Irish. Upon this treaty it was concluded that the English should be first satisfied with 1,800,000 acres of profitable land, and the Irish should have all the rest. And, upon this foundation, I was commanded to draw a bill, and did so. As soon as it was finished, the Irish

¹ Heneage Finch, afterwards the great Lord Nottingham, who laid the foundation of our modern Equity system.

repented their bargain, and desired the English would accept two-thirds and retrench one-third to increase reprisals. The English agreed to this, and so I was commanded to draw a new bill according to that model, and did so. And every paragraph was debated by a Committee of Council at Worcester House. And now both Irish and English were concerned that there should be no more innocents. The Irish first, because the principal men amongst them—the nominees—could not hope to escape as innocents. And, therefore, they never attempted during the execution of the former Act to bring on their claims as innocents, but rested under a provision made for them after reprisals; and, secondly, because the obscure freeholders would many of them escape as innocents for want of proof as they had done before. And so the new stock of reprisals which was to come by retrenchment of a third would vanish again. On the other side, the English, who had seen by what kind of deeds and proofs so many Irish had escaped before, and such Irish of whom His Majesty had little knowledge or consideration, they were desirous to put an end to all future practices of this nature, that so they might enjoy their two-thirds at least, discharged of all further clamour from the Irish. And thus by common consent of some who undertook for the English, and of those who acted for the Irish here, an end was put to all further considerations either of articles or innocence. And yet now they exclaim against it, though it were the effect of as formal a contract as anything of this nature is capable of. And, in diminution of this contract, the English did again consent that the nominees should be actually restored to their principal seats and the land about it, and to 2,000 acres more adjoining to the seats, if they had so much.”¹

¹ Report of Sir Heneage Finch, Attorney-General, touching the Act of Explanation made in Council, February, 1670-1. (Carte, Appendix.)

Carte's account of the compromise is to the same effect. "The Roman Catholics at last, to end all disputes, proposed that if, for the satisfaction of their interests, the adventurers and soldiers would part with one-third of the lands respectively enjoyed by them on 7th May, 1659, in consideration of their adventures and service, they were ready to agree to it. This proposal was in fine accepted. . . . Thus was the settlement of Ireland at last effected by the common consent of the agents of all the several interests concerned."¹

The result of the Act of Settlement and the Explanatory Act was that the Roman Catholics obtained possession of one third of Ireland. In other words, for their share in a rebellion exclusively promoted by them, they were punished by a confiscation of half their estates, having owned two-thirds of the kingdom before the rebellion broke out.

But the Irish claimants never intended to abide by their offer, nor did they consider themselves bound by the compromise which they themselves had proposed. Six years after the passing of the Explanatory Act, they made an attempt to overturn the entire Settlement. In 1670 they authorised Richard Talbot to present a petition to the King, complaining that those who had been dispossessed by the Parliamentary Government had expected to be restored to their estates on the return of the King, but that, for want of a full and just representation of their case, others now held their estates.² In this petition there was not a word admitting "there ever was such a thing as the Irish Rebellion";³ it was taken up with a laudation of their behaviour upon the peace in 1646, and that in 1648, both of which had been violated. The King

¹ Carte, ii., p. 303.

² Report of the Attorney-General.

³ *Ib.*

and his brother, the Duke of York, were unfavourably disposed to the occupants of the forfeited lands, whom they disliked as non-conformists and republicans. A Committee of Inquiry into Irish affairs was issued by the King for the purpose of reviewing the Settlement, to the great uneasiness of all who desired the peace and security of Ireland. The English House of Commons at last interfered. In March, 1673, they petitioned the King, "that for establishing and quieting the possessions of your Majesty's subjects in that kingdom, your Majesty would be pleased to maintain the Act of Settlement and the Explanatory Act thereupon; and to recall the Commission of Inquiry into Irish affairs . . . as containing many new and extraordinary powers, not only to the prejudice of particular persons, whose estates and titles are thereby made liable to be questioned, but in a manner to the overthrow of the said Acts of Settlement. . . . And that Colonel R. Talbot, who hath notoriously assumed to himself the title of agent of the Roman Catholics in Ireland, be immediately dismissed out of all command, either civil or military, and forbid an access to your Majesty's Court."¹ In consequence of this remonstrance the Commission was recalled. No further attempt was made in the reign of Charles II. to disturb the Settlement.

The reign of James II. naturally divides itself into two periods. The first extends from his accession to his flight from England; the second from his arrival in Ireland in March, 1689, to his defeat at the Boyne. At the commencement of the year 1686, James's short-lived popularity in England had vanished, and was replaced by distrust and suspicion. His resolve to maintain a standing army, and to employ Roman Catholics in officering it, contrary

¹ *Parliamentary History*, iv., p. 479.

to law, gave rise to fears that he was aiming at absolute power, and intended a persecution of the Protestants similar to that then raging in France. The opposition to his plans in England, and the likelihood of their failure, determined him, as he told his friends, to provide for himself and them "a sure sanctuary and retreat in Ireland, if all those efforts should be blasted in England which he had made for their security".¹ Mazure, the historian of the Revolution of 1688, informs us "that in the commencement of his reign James had all the military posts in Ireland examined by Lord Dartmouth. His report, which is now before me, proves the design of destroying the preponderance of the English, and of forming in that country a system of defence for a case which afterwards happened, namely, the necessity of his taking refuge among the Irish Catholics".² He therefore resolved to establish Roman Catholic ascendancy in Ireland, and to depress the Protestant or English interest, as it was then called, in order that he and his party might have a refuge or fortified camp to which they could retreat if things came to the worst. This was the policy which prompted his administration of Ireland during the first period of his reign, and which he only gave up for a time during the second in obedience to the counsels of Louis XIV. For we find that in the "Advice" bequeathed by him to his son, he recommended him "to keep up a Catholic interest there, that at least in one of the kingdoms there may be a superiority of those of that persuasion . . . though for the good of trade and improvement of that kingdom, the English interest must be supported, yet there must be great care taken not to trust them too

¹ "Secret Consults," etc., *State Tracts*, iii., p. 616.

² Mazure, *Révolution de 1688*, ii., p. 115.

far, they being generally ill-principled and republicans".¹ To carry out this policy, he determined to effect in Ireland, by his own authority, a complete revolution in all departments of the Government, civil, judicial and military.

He chose as his instrument Richard Talbot, whom he created Earl of Tircconnell in June, 1685. Talbot had long been the agent at the English Court of the Irish party which desired the repeal of the Acts of Settlement. Accordingly, Tircconnell was sent over to Ireland during the interval between the recall of Ormond and the appointment of Henry, Lord Clarendon, while Archbishop Boyle and Lord Granard were Lords Justices. The first step was to disarm the Protestants. After Monmouth's rebellion, under the pretence that the Irish militia were well affected to his claims, an order came over from England that their arms should be taken from them and deposited in county magazines. The execution of this order was entrusted to Tircconnell, and the militia were disarmed. But this was not sufficient. It was resolved to disarm all Protestants, and to deprive them even of their private weapons which were necessary for the defence of themselves and their houses. Accordingly, "it was given out that if any arms were reserved under any pretence, such as that they were their own and not belonging to the public, it would be regarded as a proof of disaffection".² The terror inspired by this menace was so great that the Protestants gave up the arms which they had bought with their own money. Though the proprietors were obliged by their patents to keep arms in readiness for the King's service, and the country was in a very disturbed state, they were deprived of all means of defence. We have the account of a debate

¹ "For my son, the Prince of Wales, 1692" (Clarke, *Life of James II.*, ii., p. 619).

² "Secret Consults," etc.

which took place in the Irish Privy Council on this subject : " Very many of the Board saying that the English could not but think themselves in great danger when they were left exposed without any one weapon in their houses and the Irish were all armed ; and when they called to any of those Irish for help to pursue the Tories, they shut up their doors and would not stir ". The Lords Justices declared that " the orders they gave were only to take in the arms of the militia, and those only firearms and no other ". One of them added that he did not know " by what officiousness " private arms had been taken.¹ It is evident from this debate that Tirconnell abused the order of the Lords Justices, and permitted the Irish to retain their arms. After disarming the Protestants, Tirconnell returned to England.

In January, 1686, Lord Clarendon was sent over to Ireland as Lord-Lieutenant in complete ignorance of the alterations intended to be made.² He was commanded by the King " to declare upon all occasions that, whatever imaginary, for they can be called no other, apprehensions any here may have had, his Majesty hath no intention of altering the Acts of Settlement ".³ But Clarendon did not possess the secret of the King's intentions. That was entrusted to Tirconnell, who arrived in June, 1686, as Commander of the forces, and who within twenty-four hours after his arrival, expressed to Lord Clarendon his opinion of the Acts of Settlement : " By G—d, my lord, these Acts of Settlement and this new interest are d——d

¹ *Correspondence of Lord Clarendon*, i., p. 217.

² " His Majesty commands me to tell you that it proceeded not from any unkindness or want of confidence in you that you were not advised with before hand about those alterations his Majesty has thought fit to make in that kingdom " (" Lord President to Lord Clarendon," *ib.*, i., p. 342).

³ Lord Clarendon's speech to the Council when he was sworn into the office of Lord-Lieutenant of Ireland, January 9, 1685-6, *ib.*, ii., p. 475.

things".¹ Tirconnell's mission this time was to transform the army into a purely Roman Catholic body. He brought with him blank commissions, and took over from the Lord-Lieutenant, by the express command of the King, full powers to remodel the army.² With the approval of the King,³ he at once proceeded to exclude Protestants from it. Within a short time after his arrival, between two and three hundred officers were removed without any reason being assigned. These gentlemen, who had bought their commissions, and many of whom had shed their blood for the Crown, were dismissed without allowance or compensation. The letters of Lord Clarendon are full of the many hard cases of these officers, whom he knew to be good soldiers and loyal subjects.⁴ For some he pleaded with Tirconnell in vain, and others he recommended to the King and his friends in England. Of the persons who were appointed in their place, all were Roman Catholics; this was their only qualification. The majority consisted of such as were entirely ignorant of military duties, or were taken from the meanest of the people. Some had been grooms, some footmen, and some noted marauders. Archbishop King mentions the case of the famous rapparees, the Brannans, who were made officers, and says he had been informed that there were at least twenty Tories in one regiment, and that there were very few regiments without some. Lord Clarendon complains of the excesses committed by these new officers, and points to great abuses of which they

¹ *Correspondence of Lord Clarendon*, i., p. 432.

² *Ib.*, i., pp. 435, 495.

³ "To him [Tirconnell] therefore the King gave a power to regulate the troops, to place and displace whom he pleas'd, which he executed very much to the King's satisfaction and advantage" ("James's own words," Clarke, *Life of James II.*, ii., p. 60).

⁴ "I believe I shall never have done representing the hard cases of some of the unfortunate officers who have been laid aside" ("Clarendon to Lord Sunderland," *Correspondence*, i., p. 446).

were guilty in regard to the subsistence money. "Scarce a colonel of the army," he writes, "knows anything of his regiment." D'Avaux, the French ambassador with James, afterwards informed his master that the colonels of the Irish army were men of good family, but that the captains were butchers, tailors and shoemakers.

The alterations were not limited to the officers. Tirconnell, with equal disregard of humanity, disbanded between five and six thousand common soldiers. They were stripped of their clothes and dismissed to beg through the country. When Lord Clarendon told Tirconnell "that it would be hard to turn the men out and make no provision for them," the answer was, "by G—d the men must out, and hang them, they have had the King's pay a great while".¹ In Dublin 400 of the Guards were turned out in one day, 300 of whom had "no visible fault".² The same thing was done throughout the country. The new officers declared that they would enlist none but Roman Catholics.³ "To give you one instance only," writes Clarendon, "Mr Nicholas Darcy, who has the company, late Captain Motloe's, called his company together and asked them if they went to Mass, to which forty of them said 'no,' whereupon he immediately dismissed them, and said he had kept as many above a week at his own house upon his own charge, who, the next morning, were all admitted."⁴ Of the class of recruits who replaced the veterans dismissed two contemporaries inform us. "When any new men are listed, they are sent to the Commissary

¹ *Life of James II.*, i., p. 432.

² *Ib.*, i., p. 476.

³ "The turning out so many men in an instant, taking in none but natives in their room, and the very indiscreet conduct of some of the new officers in declaring they will entertain no English nor any Protestants, does frighten the people" ("Clarendon to Sunderland," *Correspondence*, i., p. 486).

⁴ *Ib.*, i., p. 476.

to be sworn. The first thing they say is that they will not take the oath of supremacy; he tells them he is not to tender it to them, therefore they need not fear; that they are only to take the oath of fidelity, which is the oath mentioned in my instructions, and taken by the Roman Catholic judges. That they swallow; and being asked whether they understood what they have sworn, the answer was 'yes.' they had been sworn to be true to the Pope and their religion; and being told by some that they had been sworn to be true to the King, they replied, their priest had told them they must take no oath but to be true to the Pope."¹ The other is Mr. Stafford, an adherent of King James. In a charge to the jury at the Quarter Sessions at Castlebar in October, 1686, this gentleman remarked: "I shall not need to say much concerning rogues and vagabonds, the country being pretty well cleared of them, by reason his Majesty has entertained them all in his service, clothed them with red coats and provided well for them."²

The disarming of the Protestants, the alterations in the army, and the innumerable prosecutions for alleged seditious words spoken against the King while Duke of York, spread universal terror and dismay.³ As soon as the Protestants had been disarmed, the banditti and rapparees issued from their haunts and commenced their

¹ *Life of James II.*, ii., p. 125.

² *Ib.*, ii., p. 56.

³ "If a man be angry with his neighbour upon any private account, he is threatened to be accused of having said ill things of the King when Duke, four or more years ago" (*ib.*, i., p. 268). "If a tenant owed his Protestant landlord his rent, he paid him by swearing him into a plot, or by fixing on him some treasonable or seditious words. If a Papist had any former quarrel with his Protestant neighbour, or owed him money, he paid him in the same coin. . . . Very few country gentlemen escaped being accused" (Archbishop King). These accusations became so numerous that at last Lord Clarendon was allowed to issue a proclamation against them (*Clarendon Correspondence*, i., p. 519).

outrages. Persons were set upon and dangerously wounded in the open day. Houses were attacked, and the flocks and herds of the Protestants driven away or destroyed. Crimes were so multiplied that Special Commissions had to be issued to clear the jails.¹ The new officers and soldiers contributed to the outrages and the general disorganisation of the kingdom; "new arms in new hands were made use of as might have been expected. The soldiers harassed the inhabitants, and lived upon them at free quarters. Tirconnell, instead of punishing these offences, encouraged them."² When soldiers were taken red-handed in the commission of crime, they were claimed by their officers from the civil power; and in consequence of this conduct of the officers, magistrates refused to take informations where any of the army were concerned.³ Lord Clarendon complains of the excesses even of the officers, and mentions an extraordinary outrage committed by one of them, Lord Brittas, on the High Sheriff of a County. "The High Sheriff of the County sent an injunction out of Chancery to my Lord Brittas to quit the possession of another man with whom his lordship has a suit. My Lord beat the man most terribly who brought the injunction, and not being satisfied therewith, he took a file of his men with him, found out where the Sheriff himself was, dragged him into the street, and caused him to be beaten most cruelly, saying he would teach him how to carry himself towards the officers of the King's army."⁴ If such an outrage could be committed with impunity against a

¹ "Clarendon to Sunderland" (*Correspondence*, ii., p. 106).

² Dalrymple, *Memoirs of Great Britain and Ireland*, ii., p. 74.

³ *Clarendon Correspondence*, ii., 116, pp. 137.

⁴ This crime was not punished; Lord Brittas afterwards sat in the Dublin Parliament of 1689. Two equally shameful outrages are told of Lord Clancarty, another of Tirconnell's officers ("Secret Consults"; Hickson, *Ireland in the Seventeenth Century*, i., p. 161).

high public officer, it is easy to imagine to what a state of anarchy the country had been reduced.

Lord Clarendon informed the King that "six parts of seven of the trade" of Ireland were in the hands of the Protestants,¹ and implored him to settle their minds by a proclamation declaring that they should not be deprived of their estates, of which they were possessed by law, and on which they had laid out so much expense and labour. The future prosperity of Ireland, he urged, depended on this being done. But the King refused to do so. The results of James's policy soon showed themselves in the decline of the country. Trade, agriculture and manufactures decayed rapidly. Landowners hastened to sell their estates for whatever could be got; merchants closed their accounts, and withdrew themselves and their stocks to England; farmers threw up their leases; manufactories were shut up; the revenue declined; and an exodus on a great scale began. As early as May, 1686, Clarendon speaks of the decay "of the inland trade which is that which employs the country people". "I can myself give one instance of a man who about eighteen months since had forty looms at work, and about six months since he put them all off . . . has disposed of his stock, and will go to England. . . . There is another in the province of Munster likewise who keeps five hundred families at work. This man, sending to a tenant for £30 which he owed him, was presently accused by the said tenant of having spoken treasonable words."² A few days later he writes: "Several families do every week go away, and multitudes do daily put off their stocks in order to be themselves at liberty".³ On the 22nd of June, he says: "These changes and the common discourses which are given out by some of the new officers, by

¹ "Clarendon to the King" (*Correspondence*, i., p. 536).

² *Ib.*, i., p. 415.

³ *Ib.*, p. 424.

authority as they pretend, that they will not leave an Englishman or a Protestant in their companies, do very much terrify the trading people, for reasons too obvious to every man's apprehension. In a word, it is impossible to tell you the alterations that are grown in men within this month; but the last week—for I am very inquisitive to be informed of these particulars—one hundred and twenty people went in one ship from hence to Chester, and multitudes are preparing from all parts of the kingdom to be gone as fast as they can get in their debts and dispose of their stocks. Great sums of money are brought to town, and more is daily coming up to be sent away. . . . In the meantime there is no money in the country, and the native commodities yield nothing. The King's quit rents and chimney money come in very slowly. To distrain signifies nothing or very little, for the collector cannot sell the distress when he takes it—that is, nobody will buy it.”¹ On the 7th of August he accounts for the deficiency in the Inland Revenue, “the true reason is the dissatisfaction and uneasiness which is generally upon people's mind. . . . In a word, all society and commerce among men is at an end, and is not likely to be revived till they are convinced by time that they have no reason to be afraid of the natives now in command, many of whom by their carriage and discourses do give them too much cause to apprehend the worst they can be afraid of. . . . Those traders who have got home their effects have withdrawn themselves and their stocks out of the kingdom, which is undeniable matter of fact. I can name several who paid the King many thousands a year to his duty who are absolutely gone and left no factors to carry on their trade, by which means several thousands of natives who were employed in spin-

¹ *Clarendon Correspondence*, i., p. 464.

ning and carding of wool are discharged and have no work. There are likewise multitudes of farmers and renters gone to England, who, though they were not men of estates, yet the improvement of the country and the inland trade was chiefly carried on by them.”¹ When at the close of the year the news arrived that Tirconnell had been appointed to succeed Lord Clarendon, the consternation was universal; “a demonstration of this were those infinite numbers of families which flocked over from Dublin to the Isle of Man and other places,”² and, when Lord Clarendon left Ireland, fifteen hundred families left with him.³ It was against these refugees, who in despair had abandoned their country long before the arrival of William of Orange in England, that the great Act of Attainder was passed two years later by the Jacobite Parliament in Dublin.

When Tirconnell had effected the remodelling of the army, he left Ireland in August, 1686, taking with him Richard Nangle or Nagle, an able Roman Catholic lawyer, whom he appointed Attorney-General in the following year. Nagle was bitterly opposed to the Acts of Settlement. Two months after his arrival in England, Nagle published a letter which he addressed to Tirconnell from Coventry, reflecting on the Acts of Settlement, and advising the King not to confirm the estates of the Protestants. This was the first public declaration against those Acts in this reign.

On his return to England, Tirconnell applied to the King to be invested with the governorship of Ireland. His appointment was opposed by all the moderate Roman Catholics in England, who regarded a repeal of the Acts of Settlement as an entire separation of Ireland from

¹ *Clarendon Correspondence*, i., p. 527.

² “Secret Consults,” etc.

³ “Apology for the Irish Protestants” (*State Tracts*, iii., p. 665).

England.¹ But the influence of Fathers Petre and Sunderland, who were acquainted with the intentions of the King, prevailed, and Tirconnell was appointed Lord Deputy of Ireland in January, 1687, as Evelyn says in his diary, "to the astonishment of all sober men, and to the evident ruin of the Protestants in that kingdom"². He was now in a position to carry out his intention of calling a Parliament which would repeal the Acts of Settlement. He first turned his attention to the Courts of Justice.

During Clarendon's administration Sir Charles Porter had been Lord Chancellor. He had done well in his great post. Lord Clarendon says that he had "carried himself with great applause, and discharged the office of Chancellor to the general satisfaction of all men". At his entrance into office he had declared "the King's resolution not to have the Acts of Settlement shaken".³ This was quite sufficient to rouse Tirconnell's ire against him. Accordingly he was dismissed, and Alexander Fitton,⁴ a convert to Roman Catholicism, whom Tyrconnell had brought over with him, was appointed in his place. Archbishop King⁵ tells us that Fitton was in the habit of declaring from the bench that all Protestants were

¹ Mazure, ii., p. 287. Dalrymple, *Memoirs of Great Britain*, etc., ii., p. 137.

² On his arrival in Dublin as Deputy, Tirconnell told Clarendon that "he wondered to find such alarms upon his being to be chief governor" (*Clarendon Correspondence*, ii., p. 152).

³ *Ib.*, i., p. 346.

⁴ Afterwards created by James, Lord Gosworth.

⁵ Archbishop King, when not contradicted by the eminent nonjuror, Charles Leslie, is an authority of great credit. King had been converted by the logic of facts from the doctrine of passive obedience. Leslie disliked him as a renegade from that faith, and in his *Answer* examined his arguments with a sharpness in which a good deal of the *odium theologicum* is perceptible. Leslie's silence as to facts alleged by King is therefore strong corroboration. He himself brings more serious charges against the Irish who surrounded James than King. See page 125 of the *Answer*.

rogues, and that among 40,000 of them there was not one who was not a traitor, a rebel and a villain ; and that he over-ruled the ordinary rules of practice, and the law of the land, stating at the same time, that the Chancery was above all law, and that no law would bind his conscience.

In each of the Common Law Courts three judges then sat. They were required by law to take the Oath of Supremacy up to 1685. In that year, three, against whom no fault could be found, were dismissed because they were Protestants, and were replaced by Roman Catholics, who were dispensed the Oath, a thing which had not happened since the early days of Elizabeth.¹ On Tirconnell's arrival as Deputy, he appointed three other Roman Catholics, leaving only three Protestants, one on each bench, "pinioned," as King expresses it, "by his two brethren, the Protestant to serve for a pretence of impartiality, the two Roman Catholics to secure a majority". Two of the new judges, Nugent and Rice, Tirconnell's Attorney-General, were furious partisans for the repeal of the Acts of Settlement. Nugent was the son of an attainted peer, and before his promotion to the King's Bench had never been taken notice of at the Bar. King, Lord Clarendon, Chief Justice Keating, and the author of the "Secret Consults," all concur in contemptuous expressions respecting him. The appointment of the son of an attainted person to decide whether the outlawries of his father and others should be reversed, and whether the Settlement should stand, boded no good to the present possessors. We are told that he reversed the outlawries as fast as they came before them, and that in all cases between Roman Catholics and Protestants he was never

¹ *Clarendon Correspondence*, i., p. 357.

known to give judgment for one of the latter. He declared from the bench on circuit that rapparees were necessary evils. The other members of the Court were Lyndon, a Protestant, and Sir Brian O'Neill, a Roman Catholic.

The Court of Exchequer was the only one from which there lay no writ of error into England, and there was therefore no check on the reversal of outlawries or restraint on decisions contrary to the Acts of Settlement. In consequence, the whole business of the kingdom relating to these matters, and all actions of trespass and ejectments, were brought into this Court. Stephen Rice, a Roman Catholic, was appointed Chief Baron. His hostility to the Acts of Settlement was well known. Prior to his appointment he had been often heard to say that he would drive a coach and six through these Acts, and, before they were repealed, he frequently declared on the bench that they were against natural equity, and could not oblige. He used to say from the same place that Protestants should have nothing from him but the utmost rigour of the law. "It was before him," says King, "that all the charters in the kingdom were damned, and that in a term or two, in such a manner that proved him a man of despatch, though not of justice. If he had been left alone, it was really believed that in a few years he would, by some contrivance or other, have given away most of the Protestant estates in Ireland." His companions on the bench were Sir Henry Lynch, a Roman Catholic, and Worth, a Protestant.

The Court of Common Pleas was deserted, the business of the country being carried into the King's Bench and the Exchequer. Two of the judges of this Court were able, upright and honourable men; Keating, the Chief Justice, a Protestant, and Daly, a Roman Catholic. Keating afterwards showed his worth by his very noble letter to King

James against the repeal of the Acts of Settlement.¹ Daly was also opposed to their repeal, and was subsequently impeached by the Irish Parliament for having said that they were not a Parliament, but such a rabble as threw up their hats at Naples in honour of Massaniello. He was saved by the sudden joy of the Commons on a false report that Londonderry had surrendered.² The third judge was Peter Martin.

Tirconnell having disarmed the Protestants, purged the army, and remodelled the Courts of Justice, proceeded to secure for his party the execution of the laws and the nomination of juries. In January, 1686, Lord Clarendon drew up a list of Sheriffs for the following year. He tells us he bestowed particular care in drawing up this list; that, before making it, he had made inquiries from persons he could trust, and had taken advice from all quarters respecting the nominations. He was so well satisfied with it that he wrote to Lord Sunderland: "I will venture to say it is the best list of Sheriffs that has been for these many years, both for loyalty, prudence and impartiality." Tirconnell, however, was not satisfied. He went over to England, and there, though he had given no intimation in Ireland of his dissatisfaction, he complained to the King of Clarendon's selection. The list was sent back with objections, to which Clarendon was required to give an answer. The objections were satisfactorily answered, and Clarendon's nominees were confirmed. But Tirconnell resolved that none should be appointed for the next year but those of his own way of thinking. He and his creature, Nugent, in October, 1686,

¹ The day after his arrival in Dublin James removed Keating from the Privy Council.

² "True account of the present state of Ireland, London, 1689." Letter from Dublin, 12th June, 1689, attached to "The Journal of the Proceedings of the Parliament in Ireland."

took the extreme step of drawing up a list of those whom they wished to be appointed and presented it to the Lord Lieutenant. Clarendon complained to the King of this encroachment on his province: "I humbly beg your Majesty's permission upon this occasion to inform you, that the day before my Lord Tirconnell went hence, he and Mr Justice Nugent gave me a paper of the names of the persons who were thought fit to be Sheriffs for the next year. I confess, sir, I thought it very strange, to say no worse of it, for any two men to take upon them to give a list of men for Sheriffs over the whole kingdom—to anticipate the representation of the judges, who are the proper persons to offer men fit for those employments, and without so much as leaving room for the Chief Governor to have an opinion in the matter. This list is pretended to be made indifferently of Roman Catholics and Protestants; but I am sure several of them, even of those who are styled Protestants, are men no ways qualified for such offices of trust".¹ The King took no notice of this complaint, and Tirconnell was allowed to have his way.

Clarendon was right in saying that this list was *pretended* to be made indifferently of Roman Catholics and Protestants. In 1687 there was but one Protestant Sheriff appointed in all Ireland, and it was believed that this one was put in by mistake for another of the same name who was a Roman Catholic. The general testimony of contemporaries is that the Sheriffs appointed by Tirconnell were selected from the humblest class, and were so poor that men were unwilling to trust them with an execution for any considerable amount. When executions did come into their hands, the Sheriffs took care to avoid the persons against whom they were issued, or allowed

¹ "Clarendon to the King" (*Correspondence*, ii., p. 36).

them to escape or to be rescued by their friends.¹ It was so difficult to find Roman Catholics fit to fill this office that many of those appointed for 1687 had to be re-appointed for the following year.

That the same interest might be predominant in every part of the kingdom, the commissions of the peace underwent a similar regulation. It is true that some Protestants were continued in this office; but they were rendered insignificant, being overpowered by the great number of Roman Catholics joined with them. Harris says that "a great many whose fathers had been executed for theft, robbery or murder" were appointed. So little regard was had to character that a man was appointed chief magistrate in a Northern town who had been condemned to the gallows for his crimes.²

Tirconnell, having secured the appointment of Roman Catholic returning officers in the counties, turned his attention to the towns. The first attempt was made on the corporation of Dublin. Tirconnell sent for the Lord Mayor and aldermen, and asked them to surrender their charters, "assuring them the King's intent in reality was to augment their privileges"³. To this request it was answered that a common council would be called, and the matter laid before it. This was done, and the Mayor was authorised to tell Tirconnell that the rights and privileges of the corporation were secured by 130 charters and to pray him that its ancient government might be continued. Tirconnell rated the corporation soundly for their refusal, and told them to obey lest a worse thing should befall them.⁴

¹ "A short view of the methods made use of in Ireland, etc.," London, 1689. "Secret Consults" (*State Tracts*, p. 657); Archbishop King, p. 84.

² Burdy, *History of Ireland*, p. 325.

³ "James's words" (Clarke, *Life of James II*, ii., p. 97).

⁴ Ralph, *History of England*.

Overwhelmed by these reproaches and menaces, the Mayor called another council, but its members persisted unanimously in refusing to surrender their charters. To qualify their refusal, a deputation proceeded to the castle to acquaint the Deputy with the reasons for their refusal, and to pray for time to petition the King, who, on a former occasion, had acknowledged their eminent sufferings for his father, and assured them that he would reward them therefor. Of this acknowledgment and promise Tirconnell was now informed, but without effect. A *quo warranto* was immediately issued against the corporation. The case came before Chief Baron Rice in the Exchequer, into which court this and all the subsequent *quo warrantos* were brought to prevent writs of error into England. The corporation was not allowed as much time to put in their plea as was necessary to transcribe it. A date being mistaken by a clerk, in one of their 130 charters, the corporation prayed leave to amend it; leave was refused and judgment was given against them. The fate which befell the corporation of the capital was that of all the corporations in the country. Within the short space of two terms the charters of all the corporations in the kingdom were forfeited or superseded.

Fifty-six new charters were granted, but by them the corporations were made absolute slaves to the caprice of the Deputy. A clause was inserted in all of them, empowering Tirconnell to put in and turn out whom he pleased without trial or reason shown. In filling up the new corporations, it was the general rule that two-thirds should be Roman Catholics and one-third Protestants. The Protestants declined to serve at all. Of the Roman Catholics appointed many never saw the town for which they were named, nor were concerned in trade; some were named for several corporations; most of them were

in indigent circumstances.¹ The case of one town will explain the sweeping changes wrought throughout the kingdom. The charter of Londonderry had been forfeited and its corporation remodelled. Among its new aldermen and burgesses, sixty-five in number, twenty were Protestants and forty-five Roman Catholics.

The Irish Privy Council had duties, and acted a part in the constitution which was not performed by the Privy Council in England. No Bill could be sent over to England until the chief governor, whether Lieutenant or Deputy, and the Council had certified it under the great seal of Ireland. It became necessary, therefore, to remodel this body also. A large number of Roman Catholics was introduced, or rather drafted into it, for some who were named for it were either ashamed or unwilling to accept the honour. In May, 1686, twenty new members were added, of whom eighteen were Roman Catholics. Two were Protestants, one of whom, Lord Granard, who had been deprived of his regiment in the remodelling of the army, was appointed president of the Council, an office until then unknown in Ireland.² Lord Granard declined to act. All the Protestant lords ceased to attend, "since they were so vastly outnumbered as to prevent their doing either the Protestants or their country service" ³.

The sufferings of the Protestants during the administration of Lord Clarendon had been very great, and in the first year of Tirconnell's government the evils increased, and their condition became still more deplorable. Lamentable as their state was in 1687, it became intolerable when in the winter of the following year the army was increased.

¹ Harris, *Life of William III.*, p. 115: folio edition.

² "Clarendon to Sunderland" (*Correspondence*, i., p. 417).

³ Harris, p. 113.

Fifty thousand Irish troops,¹ ill-disciplined, unpaid,² and hostile to the Protestants, were let loose on the country. At the same time, large bodies of the peasantry collected and ravaged the land unchecked. The destruction of property was incredible; "the spoil was so general that in December and part of January last they had destroyed in the counties of Cork and Kerry above four thousand head of black cattle, as cows and oxen, and there and in the county of Tipperary two or three hundred thousand sheep. And so in all other parts, especially the provinces of Munster and Leinster, proportionately; so that before the beginning of February it was thought they had destroyed in all parts of the kingdom above one million head of cattle, besides corn and horses, and thereby utterly spoiled the most plentiful country in these parts of Europe; so that twenty years of perfect peace cannot be thought to restore it to the state in which it was at the death of Charles the Second".³ The French ambassador with James reported to his master that in six weeks fifty thousand horned cattle had been killed, and were rotting on the ground all over the country.

These statements are confirmed by the language used by Chief Justice Keating from the bench, a short time before the arrival of James in Ireland. Keating, who remembered

¹ "Even according to the lowest statements of well-informed persons it amounted to 50,000 men" (Ranke, *History of England*, etc., iv., p. 538).

² The Irish army was not paid till after the arrival of James. He himself mentions this (Macpherson, *Original Papers*, i., p. 176).

³ *Ireland's Lamentation*, London, 1689. "They began at first to take away but some part, but in a little time they drove away whole flocks and herds, thousands of sheep, and hundreds of black cattle in a night" ("Short-view of the Methods, etc.," London, 1689); see also the "Character of the Protestants of Ireland," London, 1689, where it is said, "I should exceed the bounds of a letter to enumerate all on this head; but, upon the whole, at a moderate computation it is believed they [the Protestants] have lost in stock and other personal estates to the value of eight millions sterling."

Ireland as it was at the accession of James II, "the most improved and improving spot of ground in Europe",¹ lamented at the assizes at Wicklow, a county, as he described it, "under the very eyes of the Government," in words of extraordinary earnestness the miseries of the kingdom. He told the Grand Jury, "we have greater matters than assaults and batteries. We have desolations and ruins to show you." He declared that a great part of the island was devastated by a rabble armed with unusual weapons, "I mean half pikes and skeans. I must tell you plainly, it looks rather like a design to massacre and murder than anything else. I am very far from laying this to the charge of any that are under command, though it is possible that some of them, under the scarcity they are in,² do give their assistance, or, at least, encouragement, to these robbers, otherwise it could not be that whole flocks and droves of cattle are daily driven away, and yet no one taken or brought to justice for it. I am told that open markets are set up in this county—a fat bullock for five shillings, and a fat sheep for a shilling. Under the old law the Jews were not to seethe the kid in the mother's milk, but these unmerciful wretches go farther than that, sparing none, but destroying old and young. It would make every honest man's heart to bleed what I have heard since I came into this county. It is ill in other parts of the country, but here, they spare not even the wearing clothes and habits of women and children, that they are forced to come abroad naked without anything to cover their nakedness; so that, besides the oath you have taken and the obligation of Christianity, I conjure you by all that is sacred, and as ever you expect eternal salvation, that you make diligent

¹ "Keating's Letter to Sir John Temple, December 29, 1688" (Appendix to King).

² He alludes to the fact that the army was unpaid.

inquiry." In a subsequent case at the same assize he renewed his complaints. "There are such general and vast depredations in the country that many honest men go to bed possessed of considerable stocks of black and white cattle, gotten by great labour and pains, the industry of their whole lives, and in the morning, when they arise, not anything left them, but burned out of all to go a-begging—all being taken away by rebels, thieves and robbers, the sons of violence. On this side the Cape of Good Hope, where are the most brutish and barbarous people we read of, there is none like the people of this country, nor so great a desolation as in this kingdom. It is come to that pass, that a man that loses the better part of his substance, chooses rather to let that, and what he has besides, go than come to give evidence. And why? Because he is certain to have his house burnt and his throat cut if he appears against them. Good God! what a pass are we come to!"¹

Men do not desert their settled homes with which their hopes of the future are connected, save in cases of extreme necessity, nor is one class of subjects beggared and ruined by the other without the connivance of the Government. The flight of the Protestants, long before the coming of the Prince of Orange was dreamt of in Ireland, and the desolation of the kingdom, must be attributed to the cruel misgovernment of Tirconnell. Denied the primary right of the subject—protection, and exposed in their defenceless state to the outrages of a fanatical and hostile peasantry who hated their religion, the Protestants abandoned a country the Government of which was bent on their ruin. Tirconnell's immediate object was to reduce the Protestants to impotency, and to prepare a Parliament which would repeal the Acts of Settlement. He succeeded, but at what

¹ *State Trials*, xii., pp. 615, 635.

a cost—the expulsion or beggary of the industrious class which had in its hands six-sevenths of the trade of the country, and the desolation of Ireland. But Tirconnell also entertained other and more ambitious views. He was willing to preserve Ireland for James, if James should succeed in England ; but in case of James's failure or his death, he intended to seize the Irish crown, to separate Ireland from England, and to maintain himself under the protection of Louis XIV.¹ To carry out all his projects and to be ready for any emergency, he transferred the whole civil, military, and administrative power in the country to Roman Catholics, that they might be in a position to give him effectual assistance. In his haste to accomplish his aims, he viewed the calamities of a community and the desolation of Ireland with unconcern. Even Leslie, the panegyrist of James, speaks of Tirconnell's misgovernment in the strongest terms. "Before I enter upon this disquisition, I desire to obviate an objection I know will be made, as if I were about wholly to vindicate all that the Lord Tircconnell and others of King James's ministers have done in Ireland, especially before this revolution began, and which most of anything brought it on. No ; I am far from it. I am sensible that their carriage in many particulars gave greater occasion to King James's enemies than all the other maladministrations which were charged upon his Government."² Towards the close of his book he repeats his opinion. "I am very sensible of the many ill steps which were made in King James's Government, and, above all, of the mischievous

¹ As early as October, 1687, it was agreed between the French King and the Deputy that, in case of James's death, Tirconnell should place the crown on his own head and be supported by Louis (Mazure, ii., p. 287. Hallam, *Constitutional History*, Ed., 1855, iii., p. 399 ; Lingard, x., p. 242).

² Leslie, *Answer*, p. 73.

consequences of the Lord Tirconnell's administration, which the most of any one thing brought on the misfortunes of his Master." ¹

The number of Irish Protestants who took refuge in England during Tirconnell's reign of terror was very great. An English contemporary ² accepted the estimate that 40,000 families had fled from Ireland into England. All such estimates must be at the best very inexact, but the magnitude of this number shows the impression made upon the mind of some by the vastness of the exodus. At the time that the Irish refugees appeared in England, there were in London and the other towns of that country at least 30,000 French Protestants who had been driven out of their country by the persecution following the Revocation of the Edict of Nantes.³ The presence of so many thousands, exiled from two neighbouring kingdoms for their religion, must have hardened many hearts against James, and disposed them in favour of the Prince of Orange.

The misgovernment of Tirconnell, the action of the Irish Government in 1689 and the war which ensued gave birth to evils which were not limited to one generation. They were the immediate causes of the Penal laws respecting property and status, which were enacted in the reign of William and Anne, and continued during the following reigns, until a sense of security relaxed their severity. These laws were passed by men, who, having the experience of two universal rebellions within a period of forty years, believed they were necessary to protect their lives, their possessions and their religion. They

¹ Leslie, *Answer*, p. 188.

² "Character of the Protestants of Ireland, etc.," London, 1689.

³ "Report of the English House of Commons, 13th February, 1691." Mazure makes the number 50,000 ; Michelet puts it at 80,000.

were intended to reduce the Roman Catholics by slow degrees to political insignificance, and to break down their power of again rebelling or of giving assistance to a foreign invader; but no property was taken by them from that body, nor did any Protestant ever gain an acre of ground by them. It is interesting to compare these laws, which have been the subject of so much declamation without a reference to the causes which produced them, with the proceedings of Tirconnell and the action of the Roman Catholic Parliament of 1689. Within the short space of five years vast numbers of the Protestants were compelled to fly the country after having witnessed the destruction of their property. The Parliament which Tirconnell had called into existence condemned to death upwards of 2,300 of the Protestant nobility, clergy, gentry and traders unless they surrendered themselves to their enemies, and at one blow deprived their community of millions of acres without any compensation, even for the vast improvements effected by the proprietors. How great those improvements were we learn from King James himself.¹ "The great improvements had so enhanced the value of most estates as would allow the old proprietors a share of equal income to what their ancestors lost, and yet leave a competency for the purchasers who might reasonably be allowed the benefit of their own labours."²

¹ Clarke, *Life of James II.*, ii., p. 358.

² Of Tirconnell's misgovernment and the persecution of the Protestants Mr. Lecky and his school make no mention, thus passing over in silence events which largely influenced the subsequent history of the kingdom.

CHAPTER IX.

JAMES II. IN IRELAND.

ONE of the results of James's flight from England, and his attachment to the French King, was to bring Ireland within the sphere of European politics, and of the great political and religious conflict which then divided the continent. At this time the predominance of France and the ambition of Louis XIV. threatened the balance of power in Europe and the existence of the reformed religion. A great offensive and defensive Alliance of the continental States, both Catholic and Protestant, was formed to withstand the common danger. One of the aims of the Alliance was to detach England from France, but the supremacy of Louis was necessary to James to enable him to carry out his projects for the establishment of his own arbitrary power and the advancement of his religion against the opposition of his subjects. James had been requested to co-operate with the allied Powers, and his declining to do so lost him the sympathy of the Pope and of the Catholic Sovereigns, the Emperor and the King of Spain.¹ Fortunately for the Prince of Orange, Louis, anxious to anticipate the efforts of the Confederates, poured his forces into Germany, and left the Prince at liberty to prosecute his expedition. The first consequence of William's obtaining the crown of England was to add the military resources of that kingdom to those

¹ See the Emperor's letter to James, dated the 9th of April, 1689 (Clarke, *Life of James II.*, ii., p. 324).

of the Alliance. To make a diversion, and to occupy William's attention at home, James was despatched into Ireland, and was furnished by the French king with officers to discipline his troops, and with a sum of money to support his first endeavours.

James landed at Kinsale on the 12th of March, 1689, and on the 14th proceeded to Cork, from which town he rode to Dublin, which he reached on the 24th. The next morning he called a Council, and having erased from its list the names of Lord Granard and Chief Justice Keating, and inserted those of D'Avaux, Powis, Berwick and others of his adherents, he ordered five proclamations to be issued:— (1) For raising the value of the currency; (2) summoning a Parliament for the 7th of May following; (3) requiring all who had left the kingdom to return with assurance of protection; (4) commending his Roman Catholic subjects for having armed themselves, yet "whereas it had encouraged some certain robberies," ordering all who were not in the army to lay up their weapons; (5) encouraging the carriage of provisions to the army in the North, and forbidding his soldiers and officers from seizing any without payment.

James's whole reign in England had been a contest between arbitrary power and Parliamentary government. The national opposition to his plans compelled him to fly to France. He was now about to find a similar resistance to the new policy, which Louis had induced him to adopt with regard to his Irish subjects. That policy was to conciliate the Protestants and to defer his project of repealing the Acts of Settlement until he had recovered his authority over the three kingdoms. For the present, no difference was to be made between the Protestants and Roman Catholics, and all obedient subjects were to be left in possession of the property which they held. D'Avaux, the

French ambassador, who was sent with James, was instructed to use his influence with him in reconciling the Roman Catholics and Protestants with each other, and in preventing him from making any difference in their treatment.¹ In August, 1687, James and Tirconnell had met at Chester, and there it had been agreed between them to proceed at once with the repeal of the Acts of Settlement and the confiscation of the estates of the Protestants.² But when this resolution was adopted, James was still King, and his position seemed to be secure. Subsequent events had taught him the wisdom of the disingenuous policy recommended by Louis. It would have pleased his party in England, and lessened the opposition of the Irish Protestants. The repeal of the Acts of Settlement was viewed with disfavour by the vast majority of his English supporters, who regarded such a measure as a separation of Ireland from England. James was well aware that nothing would strengthen the hands of his English and Scotch friends, and allay the suspicions entertained of him, so much as justice and kindness to the Irish Protestants. Such a line of conduct would have been a complete answer to his enemies, if he could have shown that in Ireland, where he was supported by the majority, he had not only abstained from ill-treating the Protestants, but had protected them. James saw that his interest demanded the conciliation of the Protestants, and that a policy of amnesty and mildness would increase the chances of his restoration in England. When he arrived in Ireland, his aim was to recover his British dominions either by means of a peaceful recall or by an invasion. Ireland was regarded by him merely as a stepping-stone to that end. Hence it was that he had so readily adopted the advice of Louis, contrary

¹ Ranke, *History of England*, iv., p. 535.

² Mazure, *Révolution de 1688*, ii., p. 286.

to his long-cherished intention of restoring the Roman Catholics to the forfeited estates.

But this alteration in his views at once produced a wide divergence between his aims and those of the Irish, who desired a repeal of the Acts of Settlement and the separation of their country from England. The recovery of James's other kingdoms was nothing to them. Encouraged by the internal troubles of England and the protection of France, and resolved to carry out their plans of confiscation and proscription, they made use of James solely for their own purpose, and compelled him to renounce his policy of conciliation. As James himself says, "reckoning themselves sure of their game, when in reality they had the worse of it, they thought of nothing but settling themselves in riches and plenty by breaking the Act of Settlement"¹. They knew that they had the King in their power, and that he could not maintain himself a day without their assistance. If it should become necessary for him to invade England, and to encourage his friends there by an imposing display of force, it was to the Irish army that he must look for success in his undertaking. He could neither make use of that army, nor even keep it together, if he placed himself in opposition to the wishes of those who had raised and supported it. The French who accompanied James into Ireland joined the Irish party and adopted their views. James's private wishes were undoubtedly in favour of restoring the forfeited estates to the Irish Roman Catholics, yet he could not but see that a general confiscation would injure his prospects. He now found, however, that it was easier to excite hopes than to arrest them at maturity. For years he and Tirconnell had been

¹ Clarke, *Life of James II.*, ii., 354.

working for the repeal of the Acts of Settlement, and he was now in the hands of men who expected the fulfilment of hopes which he himself had raised. The shifts and vacillations to which he was forced by his present desire to conciliate the Protestants, and at the same time to retain the affections of the Roman Catholics, were pitiable. One day he exhorted the bishops to oppose the repeal, the next he urged it on more speedily than it would otherwise have gone. At the time he was secretly encouraging the Protestant peers to oppose the repeal,¹ the following scene took place in the House of Lords on the 28th of May: "Motion made for adjourning till Thursday, because Wednesday was a holiday; the King asked what holiday. Answered, the Restoration of his brother and himself; he replied, the fitter to restore those loyal Catholic gentlemen that had suffered with him, and been kept unjustly out of their estates."²

On the 7th of May the Irish Parliament assembled in Dublin and continued its sittings until the 20th of July, during which interval thirty-five Acts were passed. As was natural, it consisted mainly of those to whom the whole power of the country had been illegally transferred. Out of about ninety-six Protestant lords³ only five temporal peers and four bishops attended. Ten Roman Catholic peers had obeyed their writs of summons; but by the reversal of attainders and new creations twenty more were introduced into the House. Of the twenty-four Roman Catholics who usually attended this Parliament, fifteen had had their attainders reversed, and four were

¹ Leslie, *Answer*, p. 99.

² "Journal of the Proceedings of the Irish Parliament, 1689" (*Somers Tracts*, xi., p. 407).

³ "List of the Nobility of Ireland; attached to State of the Papist and Protestant properties in the kingdom of Ireland," London, 1689. (*Somers Tracts*, xi., p. 438.)

minors. No Roman Catholic prelates were summoned. This was greatly against the wish of the Parliament, which desired that all the Protestant bishops should be excluded and Roman Catholics summoned in their place.¹ Colonel Charles Kelly, the author of *Excidium Macariæ*, who sat in this Parliament as member for the county of Roscommon, tells us that this was the work of James, who was afraid of dissatisfying his Protestant subjects in England.² It is more likely that James hoped that some moderation would be observed, and for this purpose encouraged the Protestant Bishops in their attendance and opposition to the repeal of the Acts of Settlement.

The House of Commons then consisted of 300 members, elected by the freeholders in counties and the burgesses in corporations. Tirconnell took care to pack the House with his friends. It has been already explained how the sheriffs of counties, and the corporations, had been secured. To make certain that none but safe men should be returned, letters were sent with the writs, recommending the persons whom Tirconnell wished to be elected. Upon the receipt of the letters the sheriff or magistrate assembled such persons as he thought fit, and these, without making any noise about it, made a return, so that the Protestants were ignorant of the election. Those men especially were chosen who felt themselves aggrieved by the Acts of Settlement, and had complained most loudly of them.³ Archbishop King mentions the case of Sergeant Dillon, a Roman Catholic, who was rejected in Dublin because he had purchased an estate under the Acts, and it was feared he would defend them.⁴ Two hundred and thirty-two

¹ Ranke, *History of England*, iv., p. 539.

² *Excidium Macariæ*, by O'Callaghan, p. 35.

³ Ranke, *History of England*, iv., 539.

⁴ King, *State of the Protestants*, p. 171.

members were returned, of whom six only were Protestants. Thirty-four counties and boroughs were not represented. Sir Richard Nagle, who had written against the Acts of Settlement, was chosen Speaker.

On the opening of Parliament the King addressed it in a speech, referring in very cautious terms to the Acts of Settlement.¹ After stating, "I have always been for liberty of conscience and against invading any man's property, having still in my mind the saying of Holy Writ, do as you would be done by, for that is the law and the prophets," he proceeded, "I shall most readily consent to the making of such good, wholesome laws as may be for the good of the nation, the improvement of trade, and relieving such as have been injured by the late Acts of Settlement, so far forth as may be consistent with reason, justice, and the public good." These words have been considered by some as an attack on the Acts of Settlement, but nothing was farther from James's thoughts at this time than their immediate repeal.² He desired that a compromise should be effected between the old and present proprietors. He himself tells us: "It is certain that many of the wise and judicious Catholics thought such an accommodation very practicable," and adds, "there is no doubt but the King's inclinations were the same; he saw the distractions it (the repeal) would breed, how it would inflame the

¹ The speech is given in the appendix to Leslie's *Answer*.

² James was aware that the repeal of the Acts of Settlement was disliked by his English supporters. In April, 1693, he published a declaration in which he offered to restore those Acts. "And in that Parliament (to be summoned on his recall to England) we will also consent to everything they shall think necessary to re-establish the late Act of Settlement in Ireland, made in the reign of our dearest brother; and will advise with them how to recompense such of that nation as have followed us to the last, and who may suffer by the said re-establishment, according to the degrees of their sufferings thereby, yet so as the said Act of Settlement may always remain entire." Clarke, *Life of James II.*, ii., p. 504.

Protestants, and rob him of his most serviceable Catholics, ruin the trade, and sink the revenue".¹ He also complains of the pressure put upon him by the Parliament: "It had without doubt been more generous in the Irish not to have pressed so hard upon their Prince when he lay so much at their mercy, and more prudent not to have grasped at regaining all, before they were sure of keeping what they had already." But James forgot that prudence or moderation was hardly to be looked for from men whose expectations had been fanned to the highest pitch by his own measures, and who, in consequence, to use his own words, "thought of nothing but settling themselves in riches and plenty by breaking the Act of Settlement."

Anti-English feelings at once manifested themselves in the Parliament. After recognising James as its lawful sovereign, it proceeded to pass an Act declaring that Ireland was a distinct kingdom from England, and therefore could not be bound by the Parliament of England, and also forbidding any writs of error or appeals in Chancery for removing "judgments, decrees, and sentences given in Ireland into England." Of these provisions James says that they were "such diminutions of his prerogative, as nothing but his unwillingness to disgust those who were otherwise affectionate subjects, could have extorted from him".² A bill also was brought in to repeal Poynings' law, but this was too much for James, and, on his expressing dissatisfaction, it was allowed to drop.³ Another enactment prohibited the importation of English, Scotch and Welsh coals into Ireland.

On the 23rd of May, the Bill for the repeal of the Acts of Settlement was brought up from the Commons, and on

¹ Clarke, *Life of James II.*, ii., p. 358.

² *Ib.*, ii., p. 361.

³ Mr. Lecky is mistaken in saying that Poynings' Law was repealed. The Bill never became an Act.

the 4th of June passed the Lords. This Bill proposed nothing less than the confiscation of the estates of every Protestant in Ireland, except those of the very few who attended this Parliament; and if they held any property secured by the Acts, that also went. The Bill affected three classes: all who held lands under the Acts of Settlement; all who had fled from Ireland; all who had corresponded with the English, Scotch, or Ulster supporters of the Prince of Orange. This last provision, as Leland says, deprived of his estate almost every Protestant in Ireland who could write. Nor was it a mere threat. Chief Justice Nugent decided that accepting and paying a bill of exchange was a correspondence with the enemies of King James. In another case, where an attorney had received letters from a client asking him to apply for a reprieve of sentence against him, Nugent held that this was a correspondence with the enemy, and imprisoned the attorney on a charge of high treason.

James did his best to prevent the Bill from passing. He even threatened to dissolve the Parliament. But his expostulations and remonstrances only irritated the Irish against him. They said openly that if he did not give them back the land they would not fight for him, and delayed the grant of money they had made for the maintenance of the war. Even the soldiers in the streets shouted after him that they would not serve him if he opposed the repeal. James still resisted, and at the last moment resolved on a dissolution. But D'Avaux, who, in direct violation of his instructions, had sided with the Roman Catholics, interfered and represented to him the danger of further resistance.¹ The united French and Irish factions were too strong for James alone and unsupported.

¹ Ranke, *History of England*, iv., p. 540; Kelly *Excidium Macariæ*, p. 34.

He was compelled to yield. "Alas," said the unfortunate King, "I am fallen into the hands of a people who rammed that and many other things down my throat."¹

The Act of Repeal swept away 12,000,000 of acres from the Protestants. The original basis of the Acts of Settlement was the declaration of Charles II., which had been confirmed by two Acts of Parliament, and many patents both of Charles and James. The lords lieutenants and the judges on their circuits had been repeatedly ordered to proclaim the settled resolution of these princes to maintain the Settlement. Only three years before, James himself had commanded Lord Clarendon to declare upon all occasions the King's intention to preserve it. Trusting to these Acts and declarations, the proprietors had reared stately houses and effected extensive improvements and reclamations of the soil. Seats had been erected and parks enclosed. Many of the estates had passed into the hands of purchasers. Manufactories had been established, "whereby the meanest inhabitants were at once enriched and civilised".² Thousands had sold small estates and freeholds in England, and laid out their prices in Irish land. Purchases, settlements, mortgages, jointures for widows and portions for children—all the multifarious dispositions of property for the welfare of families, for trade and commerce, or the reclamation, improvement and adornment of the land—had been made on the faith of these, and an undisputed possession of many years. All these were now destroyed without compensation or provision for the owners, notwithstanding the vast improvements effected by them.

We are indeed told that compensation was provided

¹ Leslie, *Answer*, p. 100.

² Keating, "Letter on behalf of the Purchasers" (Appendix to Archbishop King).

for the despoiled proprietors.¹ If compensation means an equivalent for property taken away, there was no compensation for any class. It is true that the Act speaks of conditional reprisals, but these reprisals were limited to one class, namely, purchasers from those who held estates under the Acts of Settlement. All who derived from the original grantee by descent, by devise, or by affinity—by far the greater number—were absolutely excluded. What actually took place was, the old proprietors who had forfeited their estates for the rebellion of 1641, at once took possession of them; the Commissioners of Revenue disposed of the estates of the absentees; and the Commissioners, who under the Act of Repeal were to hear the claims of the purchasers, never allotted an acre in compensation. In truth, the provisions for reprising the purchasers was a mere pretence intended to prevent the clamour of James's friends in England and Scotland. At the hour the Irish were voting the Act of Repeal, and four days before it was carried up to the lords, they published in England a proclamation in James's name—but, as he tells us, without his knowledge,²—declaring that the Irish Protestants were living in the greatest freedom, quiet and security.³ Chief Justice Keating, who wrote the famous letter in favour of the purchasers, which was presented to James by Lord Granard, points out the real value of the reprisals. He declared that he wrote “on the

¹ *Lecky*, ii., p. 186. Though he had just stated that “the principle of compensation was as yet wholly unknown,” p. 183.

² *Clarke, Life of James II.*, ii., p. 362.

³ “We cannot but rejoice we have had an opportunity to demonstrate the falseness and malice of their [his enemies'] pretences. Since our arrival in this kingdom of Ireland, by making it our chief concern to satisfy the minds of our Protestant subjects that the defence of their religion, privileges and properties is equally our care with the recovery of our rights.” 18th of May, 1689.

behalf of many thousands of your Majesty's dutiful and obedient subjects of all degrees, sexes and ages . . . to prevent the ruin and desolation which a Bill, now under consideration in order to be made a law, will bring upon them and their families in case your Majesty doth not interpose . . . the way prescribed by this Bill is to rob the innocent purchasers, creditors, and orphans of their estates, to do it contrary to the public faith, laws of the land and precept of Holy Writ. . . . As for the reprisals mentioned to be made them out of the rebels' estates . . . that will be very uncertain ; for it must be known who the rebels are and what their lands amount to, since it may be probably concluded that there are many of your subjects now in England no way concerned in the rebellion, and would have ere this attended your Majesty here, if they had not been hindered from coming by duress and embargo and many other legal and justifiable excuses. . . . It is in the power of your Majesty to prevent the total ruin of so many of your subjects as have been purchasers and improvers in this kingdom by prescribing more moderate ways than depriving them of the whole of what they have legally and industriously acquired. And that Committees of both Houses may hear and inquire whether any medium may be found out betwixt the extremes for the accommodating, as near as may be, the purchaser and the old proprietor ; so that if there be cause of complaint, it may not arise from a total disappointment of either party. This is a little of what may be said on this occasion, but the haste of those who drive on this Bill will allow no further time at present."

The repeal of the Acts of Settlement beggared many Roman Catholics who had purchased estates from the original grantees under them, and rendered them dissatisfied with James's government. The King foresaw this

result when he said that the repeal would "rob him of his most serviceable Catholics." Colonel Kelly tells us that the predominance in Galway of those who desired the re-establishment of the Acts led to the abrupt surrender of that town to the forces of Ginkell at a time when delay was above all things necessary to the Irish army.¹

The Act of Repeal was followed by the infamous Act of Attainder. By this Act upwards of two thousand three hundred persons of all ranks, from that of a duke to that of a carpenter, were proscribed by name. All these were declared traitors, and were to suffer "such pains of death, penalties and forfeitures respectively as in case of high treason are accustomed," unless they by certain days fixed in the Act surrendered themselves.

The manner of inserting names in this record, and the haste in which it was drawn, were equally remarkable. Any one who had a personal enmity to another, or desired his estate, or owed him a debt, had only to hand in his name, and it was inserted without discussion. No difficulty was made in any case except that of Lord Strafford, and a few words disposed of the objection. As to the haste with which the list of names was drawn up, Archbishop King says, "perhaps no man ever heard of such a crude imperfect thing, so ill-digested and composed, passed in the world for a law. We find the same person brought in under different qualifications. In one place he is expressly allowed till the 1st of October to come in and submit to a trial, and yet in another place he is attainted if he do not come in by the 1st of September. Many are attainted by wrong names; many have their christian names left out; and many whose names and surnames are both put in are not distinguished by any character whereby they may be

¹ *Excidium Macariæ*, p. 137.

known from others of the same name".¹ Some even of the King's adherents were in the hurry attainted by the Act. An examination of the list² supports the statements of the Archbishop. An instance of the confusion in it may be given here. In one page there are the names of twenty-two persons who are allowed till the month of October to surrender, and in the next page the same names are repeated in the same order, but their owners are attainted if they do not appear by the 1st of September. There is a remarkable fact connected with the list which the Archbishop does not mention. Not only was the Act directed against the proprietors of the forfeited estates, but it also included very many of the trading and tradesmen community. We find in it the names of merchants, brewers, clothiers, bakers, doctors, tanners, vintners, innkeepers, tailors, scriveners, yeomen, and artisans.

Certain days were fixed in the Act before which persons named in the list were to surrender themselves. It was known that such a surrender was impossible. The 1st of October was the latest date for the surrendering. There was a very strict embargo laid on all Irish vessels up to the 1st of November. The embargo was equally strict on the English side, so that it was impossible for the attainted, even if they had notice of the list, to return and surrender themselves. But care was taken that they should have no notice of it until the last day of grace had expired. The Act took from the King the power of pardon, unless it was granted before the 1st of November, and was enrolled in Chancery during the same month. To prevent the

¹ King, p. 207.

² "List of such of the names of the nobility, gentry and commonalty as were attainted in the Parliament of Dublin"; London, 1690. This tract is in the London Library. A list of the names is also given in the Appendix to Harris's *Life of William III.*

attainted persons knowing that their names appeared in the list, it was concealed for four months after the time limited for pardons.¹ When Sir Richard Nagle, as Speaker, presented the Bill to James for his consent, he told him that many were attainted upon such evidence as satisfied the House, and the rest were attainted "upon common fame." Nagle was a lawyer of repute, yet he was not ashamed to say that common fame or report was sufficient evidence to attain of high treason thousands of his fellow subjects.

Some Irish writers have stated that the aim of the Act was merely to confiscate the lands of the absentees.² But before we can accept this construction, several things must be taken into consideration, and several questions answered. The Act of Attainder, if it only aimed at confiscation, was wholly unnecessary, as the Act of Repeal had already confiscated the estates of every Protestant in Ireland with the exception of the few who attended the Parliament. If property only was within the view of its makers, why were the pains and penalties of death inserted in it? Why was the prerogative of pardon taken from the King, and why was it enacted that no pardon should contain more than one name? By this provision, James was deprived of the power of issuing a proclamation of grace. Why was the list of persons attainted concealed for four months; and why were tradesmen, professional men, and artisans struck at?

¹ Archbishop King vouches for this, and Leslie, the only other contemporary authority who examined every statement that King made with the intention of disproving it, is silent. It is vain to urge, as Mr Lecky does, that the Act was mentioned in the *London Gazette* of July, 1689. The list is the important thing, and it was not printed in London till April, 1690. Every effort must have been made to get possession of an important political document that would have thrown discredit on James, yet nine months elapsed before it was published.

² "The real aim of the Act was confiscation" (Lecky, ii., p. 198).

Every difficulty was thrown by the Act in the way of a pardon even during the very short time the King was allowed to grant one. All pardons were to be under the Great Seal of England if the King should return there, or under that of Ireland, and pursuant to a Royal warrant under the privy signet and sign manual, and each was to contain but one name, and to be of no effect unless enrolled in Chancery on or before the end of November. Anyone acquainted with the tedious formality with which such things are carried through will see at once that a few pardons only could have been taken out within four months, and that in a case where thousands were concerned, these restrictions rendered the power of pardoning a mere show. It is known that the French and Irish were closely united in their policy of separating Ireland from England, and that D'Avaux, the French ambassador, "advised James, if a landing took place, and the Protestants consequently rose in any quarter, to have them all massacred at once".¹ Leslie, upon whose testimony the Irish writers rely, and whom they invariably quote to shake Archbishop King's authority, tells us that some of the Irish around James proposed to him a general massacre of the Protestants, and that the King indignantly replied, "What, gentlemen, are you for another Forty-one"?² The most charitable view that can be taken of the Act of Attainder is that the Irish legislators, relying on the protection of France and thinking themselves secure of the future, resolved to prevent the return of the Protestant absentees, careless how many heads might fall under the operation of a most cruel law.³

¹ Ranke, *History of England*, iv., p. 561. Macaulay also mentions this fact.

² Leslie, *Answer*, p. 125.

³ There is no ground for the statement of Mr. Lecky that a Bill "precisely similar" to the Irish Attainder Act passed the English Commons in 1689. The English Bill contained the names of twenty persons

By two other Acts of this Parliament all the endowments of the Protestant Church, and all the provisions made for the maintenance of her clergy, were at once taken away. By one, tithes payable by Roman Catholics were abolished. For three years before the meeting of this Parliament hardly any tithes had been recovered. The priests had begun as early as 1686 to declare that the tithes belonged to them, and had forbidden the people to pay them.¹ They said openly that the King had no power to interfere with the property of their Church. The other Act repealed a former Act² making provisions for ministers in cities and corporate towns. At this period there was hardly a Roman Catholic householder in the greater number of these cities and towns. All of them, with the exception of Dublin, Cork, Limerick, Waterford, etc., built by the Danes, had been erected by the labour and at the expense of the English settlers. In these towns a small rate or tax had been imposed which was payable to the clergyman who ministered there. This was therefore in the great majority of cases a matter exclusively between the Protestants and their own clergy. Yet both tithes and rates in town were taken away without any compensation

only who had fled from England to join James. "The Bill itself," say the editors of the "Manuscripts of the House of Lords, 1689-90" (Twelfth Report of the Historical Manuscripts Commission, Append. 6) "is wanting . . . but the names of the persons, twenty in number, who are required by it under pain of forfeiture to surrender. . . . can be ascertained from the papers that exist." It is evident that no similarity can exist between an Act which proscribes under the penalty of death the nobility, gentry and traders of a country to the number of 2,400, with whose guilt or innocence the Parliament which condemned them could not possibly be acquainted, and a Bill which confiscated the property of twenty English adherents of James. The English Bill, before it left the Commons, did not contain the name of Tirconnell, or that of the double traitor, Richard Hamilton, nor was any name inserted in it except on evidence.

¹ "Lord Clarendon to the King" (*Clarendon Correspondence*, i., p. 535).

² 17th and 18th Charles II., vii.

whatever.¹ The members of this Parliament were well aware of the injustice of their proceedings. At the time when these Acts passed, they were declaring in their proclamation meant for English and Scotch eyes, "we have taken care that our subjects of the Church of England be not disturbed in the exercise of their religion and the possession of their benefices and properties."²

An Act was passed in this Parliament for liberty of conscience. This was a continuation of James's policy in England, and was his work alone. Much thoughtless commendation has been given to this Act. It is forgotten by those who praise it that such a law would be regarded very differently in a Protestant and in a Roman Catholic country. In the former, the clergy would feel themselves bound to obey it; but the Roman Catholic clergy have always denied the right of a secular Government to interfere with the jurisdiction of their Church. This was settled for ever at the Council of Constance, where the safe conduct granted to Huss by the Emperor Sigismund was violated, and where it was decreed that nothing could

¹ It is when justifying these measures that Mr. Lecky makes the remark, "the principle of compensation was as yet wholly unknown." Yet two pages later he argues that compensation was given by the Act of Repeal. The principle of compensation is as old as man. It was the foundation of all early criminal law, as the weregild in Highland and the eric in Ireland show. It is and always has been the foundation of civil law. The principle had been put into practice long before the time of this Parliament both in England and Ireland. In England, when the religious houses were dissolved, compensation was granted to the monks and nuns, which, Fuller tells us, was paid regularly. So also when the Church of England clergy were ejected in the time of the Long Parliament. In Ireland, compensation was granted to the members of suppressed houses in the time of Henry VIII. After the rebellion of 1641, a proportionate compensation was given to the transplanted proprietors. The Act of Explanation in the reign of Charles II. was based on compensation. Even this Parliament recognised compensation under the word reprisal.

² Proclamation issued at Dublin, 18th of May, 1689, and sent to England without the King's knowledge. Clarke, *Life of James II.*, ii., p. 362.

be allowed to prejudice the authority of an ecclesiastical judge to examine and punish heretical pravity. In addition, the Bull *In Cæna Domini* excommunicated all those who impeded, directly or indirectly, ecclesiastical judges in the exercise of their judicial functions according to the Canons, Papal constitutions, or the decrees of General Councils.¹ If Ireland had been able to maintain her independence of England under the protection of Louis XIV., who attempted to exterminate the Reformed Faith in his own dominions, it is certain that this Act would have been waste paper. From the first it was a dead letter ; it neither prevented the seizure of the Protestant schools and churches throughout the country in direct opposition to its provisions, nor the issue of a proclamation forbidding the Protestants to assemble in churches or elsewhere under pain of death.² James himself tells us that he published a declaration "for surrendering all the Protestant churches which had been seized upon by the Catholics, and took great care to have all grievances of that nature redressed"³. But when he gave a positive order that the churches at Waterford and Wexford should be restored to the Protestants, the order was disobeyed.⁴

While the Irish were taking possession of the forfeited estates or preparing for war, the condition of the kingdom was lamentable. This statement does not rest on one-sided testimony. Speaking of the incapacity of the country to maintain his army, the King says "the great

¹ Cherubini's *Bullarium Magnum*, iv., p. 117.

² Dalrymple, *Memoirs of Great Britain and Ireland*, Part II., book ii., p. 69.

³ Clarke, *Life of James II.*, ii., p. 369.

⁴ Archbishop King says that nine churches out of ten were taken throughout the country, twenty-six in the diocese of Dublin alone. Leslie says that only one was taken by the order or connivance of the King. These statements are consistent with each other.

stocks of cattle, sheep etc., being in the hands of the Protestants, and many of them flying into England, they had been emboyled,¹ and those that stayed were ruined in great measure by the rapparees; this brought such a scarcity that there was neither corn nor meal to feed the army for any considerable time, etc.”². A letter from Ireland, dated the 12th of June, 1689, tells us “the miserable usage in the country is unspeakable, and every day like to be worse and worse. Many alledge that the rapparees have secret orders to fall anew on the Protestants that have anything left; the ground of this may be their pretending such an order, for they commonly pretend an order for any mischief they have a mind to”³. Six months later, on the 2nd of January, 1690, James issued, by the hand of his Secretary of State, instructions to the judges on circuit, accusing them of “having strangely neglected the execution of their commissions,” and stating that this neglect was “the chiefest cause of the general desolation of the country”. The King draws their attention to “the many robberies, oppressions and outrages committed through all parts of the country” and exhorts them to do their duty. “Let the present general cries of the people for justice, and the present general oppression under which the country groans, move you to have a compassion of it and to raise in you such a public spirit as may save it from this inundation of miseries that breaks upon it by a neglect of his Majesty’s orders, and by a general relaxation of all civil and military laws. Consider that our enemies, leaving us to ourselves as they do, conclude we shall prove greater enemies to one another than they can

¹ Probably “embezzled”.

² Clarke, *Life of James II.*, ii., p. 386.

³ Letter attached to the Journal of the Proceedings in the Irish Parliament (*Somers Tracts*, xi., p. 411).

be to us ; and that we will destroy the country and enslave ourselves more than they are able to do. What inhumanities are daily committed against one another gives but too much ground to the truth of what our enemies conclude of us¹."

¹ Albaville's instructions to the Commissioners of Oyer and Terminer (Appendix to King).

CHAPTER X.

PENAL LAWS IN ENGLAND AND IRELAND.

THE chief glory of man consists in his sympathy with the past and in his hopes of the future. If the present only engaged his attention, he would differ but little from the beasts of the field. History therefore has for him a perennial interest. But history may be written in two very different ways. The first is, to consider each stage of society in a nation, or in the European community of nations, as a development or necessary evolution from those which preceded it, and to regard the future as ever extant, though unseen, in the present. This is the true method, and alone deserves the name of history. Such a mode of treatment excludes all passion, all party feeling, or personal affection. Events rather than individuals, the spirit of the times, the secret tendencies which, though hidden from the immediate actors, direct the growth of thought, the mutual influence of nations upon each other, and the religious impulse, are the principal subjects of its consideration. The other method is, to write it with a purpose, either to exalt a party with which the author is connected, to advance a policy, or to award praise or blame to statesmen or governments. This latter mode is well exemplified by two works which all of us have in our hands, namely, Hallam's *Constitutional History*, and Macaulay's account of the revolution of 1688. Hallam's book is a very imperfect attempt to explain the growth of our Constitu-

tion by one who knew but little of the great services of our National Church in consolidating the empire and in helping to secure the privileges we enjoy; of the great conflict with Rome, and of the long series of statutes to establish ecclesiastical independence, and secure the integrity of our tribunals; of the Supremacy of our sovereigns before the time of Henry VIII.; of the dangers to England arising from the alliance of the Popes and the Kings of Spain; and of the peace and security in which the Roman Catholics lived during the first twenty-five years of the Reformed Government. But as a panegyric of his party it is perfect. Avoiding the open partisanship of Macaulay, and believing fully in his own impartiality, he teaches throughout his volumes that all improvement in our laws and constitution is due to one party in the State alone, and that the other was merely a drag on the principle of amelioration.¹ Macaulay's work is simply an undisguised glorification of his hero and of the political body to which he himself belonged. His authority was never considerable and is daily diminishing. His gross partiality, and the narrow bigotry which denies to his opponents all merit and even common honesty, arouse our distrust; while his style, modelled on that which prevails in our courts of law, fatigues us with its endless flow of clamorous advocacy.

For a long series of years, the writing of what is commonly called English history has been in the hands of Whig authors, who dislike the process of deduction, and are unwilling to consider each stage of society as the result of

¹ A note of Hallam, in his *Middle Ages under Spain*, shows us with what party feeling he approached the writing of history. A Spanish author, whom he quotes, remarked that one party in the Cortes consulted the good of the kingdom, the other that of the king. Hallam's interpretation of this passage is that the parties were Whigs and Tories respectively. This quite equals Macaulay's "conflict between Oromasdes and Arimanes".

antecedent circumstances. When they find anything in our laws and constitution which displeases them, their habit is to regard it as a separate and solitary fact without any reference to the causes which produced it. It is thus they treat the English Penal Laws. The strong compulsion of self-preservation, or the jeopardy of their country, may have constrained our forefathers to enact measures which time, with its infinite changes, has rendered no longer necessary, but the motives and apprehensions which gave birth to those measures are entirely disregarded by these authors. We are overwhelmed with rhetorical censures of the Penal laws, but we hear nothing of the prior foreign and domestic events which produced them, namely, the long and terrible struggle with the Popes and their Spanish champions, the introduction by the Jesuits and seminary priests of a new faith which mixed up the truths of religion with treasonable designs, and the perpetual plots and conspiracies of the Papistic faction at home. These writers justly pride themselves on the efforts of their party for the repeal of the Penal Statutes; but a sense of their triumph occupies their attention exclusively, and prevents them from seeing both sides of the question. They ought at least to have shown the same candour and the same spirit of liberal inquiry which mark the writings of such Roman Catholics as the secular priests in the reign of Elizabeth, William Watson, a seminary priest, Bossuet, Sir John Throckmorton, Rev. Joseph Berington, Father Walsh and Rev. Dr. O'Connor, all of whom attribute the Penal Laws to the misconduct of their own community. Nor do they offer a word of explanation how it came to pass that a people, whose "ancient and inbred piety, integrity, good nature and good humour" one of themselves celebrates, was reduced to enact laws of such extreme severity.

When these authors come to deal with the Irish Penal Laws, they display a real or affected ignorance. They make no mention of the two universal rebellions which preceded and helped to produce them, nor do they connect them with the English system which was the fount from which they sprang. Two of them, Hallam and Macaulay, say but little of the English Penal Laws, but they are loud in their denunciations of the Irish. The references of Hallam to the English enactments are few, and Macaulay makes no mention of them or of their effects in his description of the condition of England at the accession of James II. Burke describes the Irish system as "an unparalleled code of oppression". Unparalleled it certainly was not either abroad or at home. The use of this word is extremely disingenuous, and conceals a fact which must have been well known to Burke at the time when he wrote, namely, that the English Penal Laws were more numerous and more severe than those in Ireland. If these authors had made themselves acquainted with the jurisprudence of England and with the history of Ireland, they would have learned that every Irish Penal Statute was copied from English legislation, and that many of them were either mitigated or softened down before they were adopted by the Irish Parliament; that while the English Roman Catholics groaned under numerous enactments during the reigns of Elizabeth, James I. and Charles I., the only penalty imposed on the Irish Roman Catholics in common with Protestant dissenters was a fine of ninepence for non-attendance at church; that this penalty was seldom exacted in the two former reigns and never in that of Charles I.; and that perfect toleration and political equality existed in Ireland before the great rebellion of 1641. From such authors it is idle to expect any information as to the origin and causes of the Penal Laws in England and Ireland.

Long before the Reformation, and while England was still Papal, there were Penal Laws in connection with religion. The ante-Reformation enactments may be divided into two classes, distinct from each other and differing in their aims. The first class was directed against heresy, and called in the aid of the temporal power to maintain unity of belief, and to prevent the spread of new opinions.¹ This class was repealed by the Reformed Government of Edward VI., revived by Queen Mary, and finally abolished for ever by Elizabeth. The second class consisted of the long series known under the name of Statutes of Provisors and Præmunire. The object of the Statutes of Provisors was to secure to domestic hands the patronage of the National Church, and to prevent the intrusion into it of strangers nominated by the Pope. The original aim of the Statutes of Præmunire was to preserve the independence of our civil courts, but by the last of them their scope was so far extended as to forbid all communication with Rome, except with the permission of the King. The intolerable exactions of the Papacy, and its perpetual encroachments on the laws and customs of the country, had united the bishops, clergy, nobles and commonalty in a determination to limit the Popes to their spiritual province, and to subject all correspondence between them and Englishmen respecting the patronage, possessions and administration of the Church to the permission and supervision of the secular Sovereign.² The penalties inflicted by these statutes were extremely severe. The last of the Provisors enacted

¹ 5 Ric. II., st. ii., c. v. Sheriffs to apprehend preachers of heresy.
 2 Henry IV., c. xv. For the repression of heresy and burning of heretics.
 2 Henry V., c. vii. Magistrates to assist Ordinaries in extirpating heresies and punishing heretics.

² The bishops and regular prelates voted unanimously for the last and most stringent statute of Præmunire. Fuller tells us that there were in this Parliament "almost sixty ecclesiastical barons".

that everyone who should accept a benefice in England by way of Papal provision should be banished for ever, and his lands and goods forfeited to the King. By the final statute of the Præmunire series it was provided that all persons who obtained from the Papal Court translations, processes, sentences of excommunication, bulls, instruments, or any other thing which touched the King, his crown, regality or realm, and all who brought them into the realm or received them, or made notification or execution of them, should be outlawed, their lands and goods forfeited, and themselves attached, or that process be made against them by way of Præmunire. The statutes of Provisors and Præmunire have never been repealed. They remained untouched by the legislation of Queen Mary, who made use of them against the Pope himself. Though these statutes have never been repealed, they now possess only a historical interest for us, as the ecclesiastical supremacy of our Sovereigns and the independence of the English Church are no longer threatened by an external authority. We have now to consider the origin and causes of the modern Penal Laws, which commenced in the reign of Elizabeth.

The first and principal question to be considered is: Were these modern Penal Laws defensive or offensive; were they extorted by Papal aggressions and the misconduct of a dangerous faction at home which the English Government had no means of distinguishing from the general body of the Roman Catholics, or were they unprovoked attacks upon the professors of a different religion? In dealing with this inquiry it is desirable to exclude all Protestant testimony, and to make use of that of Roman Catholics alone. It may be well to mention here that the expression, temporal power of the Popes, has two meanings. The one refers to their authority as princes in

their own dominions, with which we have nothing to do. The other, to their claims to depose sovereigns, to absolve their subjects from their obedience, and to override the laws and customs of an independent kingdom.

For upwards of 200 years, from 1538, a spurious Christianity compounded of religion and treason was taught to the Roman Catholics of England and Ireland by the Popes, and by the emissaries who were despatched into these countries by them or with their consent. Instead of a pure faith, the Roman Pontiffs contravening the precepts of the Gospel, preached in their bulls and briefs, that heretical princes should be deposed, that no allegiance was due to them, and that their subjects were bound to fight against them. It is now admitted by all Roman Catholics that the deposing dogma and all its treasonable corollaries are contrary to Scripture, and that the laws of God ordain obedience to the existing Government of a country.¹ But the doctrine which was preached by the Popes before and at the times when the Penal Statutes were passed was absolutely incompatible with the independence and even the existence of a Protestant State, and subversive of the authority of a Protestant Prince. The Roman Pontiffs claimed the right, in the exercise of their temporal power, to set aside our sovereigns and to transfer their dominions to another, denied their title and exhorted their subjects to rebel against them. Both by example and precept they inculcated conduct adverse to the peace of society and contrary to the duties of citizens. During the whole reign of Elizabeth they directed all the moral and

¹ "I am not aware that there is a Catholic divine in existence at present who holds the doctrine of the Pope having temporal power or authority over independent States" (Archbishop Kelly, *Digest of Evidence*, 1825). "The Pope's claim to temporal power by divine right has not perhaps at this time a single advocate" (Charles Butler, ii., p. 222).

material resources at their command to the destruction of England and her conquest by the Spanish Kings. They invaded English territories with their own troops, encouraged rebellions, instigated conspiracies, preached crusades against England, and sent missionaries to teach a faith which was not the Catholic faith, but a corrupt mixture of religion and sedition. And when, after the accession of James I., they were deprived of the assistance of Spain, they continued to teach their adherents the dogma of the deposing power, and would not allow them to testify their allegiance or affection to their lawful sovereign. The Popes tolerated the rejection of their claims in France and other countries where the Prince was Roman Catholic, but they would not allow it in these islands where the King was of a different religion. To say that Pontiffs, who claimed infallibility within the province of faith and morals, inculcated an immoral doctrine, is a grave statement; but the words of the Popes themselves establish the fact of their having preached such a doctrine, and the judgment of all Roman Catholic divines has for a long time condemned it, one learned body among them going so far as to call it the "disgrace of the Christian name". Cardinal Manning tells us that "the laws which govern our civil allegiance are as old as the revelation of Christianity, and are regulated by the divine constitution of the Church and the immutable duties of natural morality . . . they are of divine institution and are beyond all change, being in themselves unchangeable".¹ As far back as 1606, the Venetian theologians condemned as "seditious and sacrilegious" the maxims that Kings and States were subordinate to the Popes in civil matters, and that their subjects could be absolved from their obedience.² In 1626,

¹ *Vatican Decrees*, p. 174.

² Caron, *Remonstratio Hibernorum*, I., vi., p. 1.

the sacred faculty of the University of Paris censured a treatise of the Jesuit, Sanctarellus, in which it was laid down, that the Pope could inflict temporal punishment on Princes, and free their subjects from their obedience, and declared these doctrines to be "new, false, erroneous and contrary to the word of God".¹ The divines of the Universities of Toulouse, Valence, Bordeaux, Poitiers, Caen, Rheims and Bourges, concurred in this censure. In 1680, sixty doctors of the same sacred faculty at Paris asserted that the English Roman Catholics might with a safe conscience take the oath of allegiance which the Popes had condemned.² In 1682, the French clergy subscribed unanimously to an article resolving "that the power which Jesus Christ had given to St. Peter and his successors, related only to spiritual things and those which concern salvation, and not to things civil and temporal. Kings and princes therefore are not, in temporals, subject to any ecclesiastical power either directly or indirectly, neither by the authority of the Keys can they be deposed, or their subjects freed from their faith, obedience, or oath of allegiance." In 1788-9, the Faculties of Divinity in six Roman Catholic Universities,³ drawing their arguments from Scripture, the writings of the Fathers, and the records of the primitive Church, declared that the Pope was possessed of no temporal power in foreign countries, and that no authority on earth could absolve subjects from their allegiance.⁴ Among ourselves, the Archbishops Murray, Kelly, Curtis, the Bishops Doyle and

¹ Caron, *Remonstratio Hibernorum*, I., vi., p. 2.

² "Answer of the Faculty of Divinity at Paris to the Queries proposed by the English Catholics, 1789" (Butler, *English Catholics*, i., Appendix).

³ Louvain, Douay, Paris, Alcalá, Valladolid, Salamanca.

⁴ The decisions of these Universities are given in Butler, *English Catholics*, i., Appendix.

Magaurin,¹ Father Walsh, the Rev. Joseph Berington, the Rev. Charles O'Connor, and Sir John Throckmorton have declared that the divine law as to the allegiance due by subjects to their Prince is perfectly clear. If these theologians are right, the Popes, who preached that kings might be deposed and their subjects freed from their oath of allegiance, were guilty of heresy, and, as the Faculty of Divinity at Louvain expresses it, enunciated a tenet which was of infinite detriment to the Church and Republic of Christianity, and coloured the face of Europe with rivers of blood.² It is strange to find that a spiritual authority which the devotion of the western nations had established for the purpose of leading them in the paths of righteousness was corrected and recalled to its duty by those whom it professed to teach. For it is as certain as anything of the kind can be that, if the Roman Catholics of England and Ireland had not freed themselves from the temporal domination of the Popes "without even consulting Rome or regarding its former vain pretensions and unchristian condemnation,"³ the Roman Pontiffs would have continued much longer than they did to preach their anti-social and anarchical tenet. "If," says Sir John Throckmorton, "the Catholics of England had been weak enough to recur to the Holy Congregation, I am firmly convinced they would

¹ For the statement of the Irish Prelates, see "Digest of their Evidence before Parliamentary Committees in 1825".

² "When, in the history of those ages, the sacred faculty of divinity of Louvain finds the evils which have been produced from the circumstances alluded to [the doctrine of the deposing and absolving power] the infinite detriment they have been to the Church and republic of Christianity, and the rivers of blood with which they have more than once coloured the fair face of Europe, she wishes the torch of history extinct, that this disgrace of the Christian name might be buried in oblivion. She wishes it erased from the records of history, and would blot out the remembrance of it even with her own tears."

³ Throckmorton, *Second Letter to the Catholic Clergy*, p. 71.

not have been permitted to abjure the deposing and absolving powers. Paul V. had declared those powers could not be renounced without violating Catholic faith; and to maintain the Pope had no such powers, was uniformly contended by the Roman divines to be *non tam opinio quam hæresis*".¹ The doctrine of the deposing power will be best learned from the actual words of the Papal bulls and briefs.

In 1538, Paul III. published a bull, by which he excommunicated Henry VIII., and drove the English Church out of Catholic unity.² Forgetting the principles of the canon law, and the advice of St. Augustine that censures do no good except when the person censured has few followers, this Pope included in his excommunication both the King and people of England. By "this extraordinary document, in which care was taken to embody every prohibitory and vindictive clause invented by the most aspiring of his predecessors,"³ Paul deprived Henry of his crown, dissolved all leagues of princes with him, gave his kingdom to any invader, interdicted his dominions, required all clerical and monastic bodies to retire from his territories, commanded his nobility to take up arms against him, freed his subjects from all oaths of allegiance, cut off their commerce with foreign nations, and declared it lawful for any one to seize them, to make slaves of their persons, and to convert their property to his own use.

In 1559 Paul IV., issued his bull *Cum ex Apostolatus Officio*,⁴ which was subsequently confirmed by Pius V. in

¹ Throckmorton, *Second Letter to the Catholic Clergy*, Appendix, p. 75.

² *Damnatio et Excommunicatio Henrici VIII., Regis Angliæ, ejusque fautorum et complicum, cum aliarum pœnarum adjectione.* (Cherubini, *Magnum Bullarium Romanum*, ed. 1727, i., p. 707.)

³ Lingard, v., p. 47, ed. 1849.

⁴ *Invocatio quarumcunque censurarum et pœnarum contra hæreticos et schismaticos quomodolibet promulgatarum, et aliarum pœnarum im-*

his *Inter Multiplices*. Paul IV's bull was drawn up after consultation with his Cardinals, thirty-one of whom sign it. It states that it was published with their unanimous consent, and declares that the Pope, as representative on earth of God and Jesus Christ, is possessed of supreme power over nations and kingdoms, and judges all, he himself to be judged of none. After this exordium it enacts that to deter them from evil by the fear of punishment all Emperors, Kings, Dukes, Marquises, Patriarchs, Cardinals, Archbishops, Bishops, etc., as soon as they fall into heresy or schism, are at once irrevocably deposed and deprived for ever of all power and authority. If they show the signs and fruits of condign repentance, they are by the benignity and clemency of the Roman See, to be imprisoned in a monastery or other house of regulars, there to do penance for the remainder of their lives on the bread of adversity and the water of affliction. All who receive, defend, or favour heretics or schismatics incur the same sentence of excommunication, and are declared infamous and incapable of making a will or succeeding to an inheritance.

In 1569 Pius V. drew up his bull *Regnans in Excelsis*, which he published in the following year.¹ In this bull "ever to be condemned and ever to be lamented,"² the Papal claims to supreme temporal power were asserted in the strongest language. After declaring that the Pope alone is appointed "Prince over all nations and kingdoms

positio, in cujuscunque gradus et dignitatis prælatos et Principes hæreticæ vel schismaticæ pravitatis reos. *Bullarium Magnum*, i., p. 840.

¹ Pii Papæ V. sententia declaratoria contra Elizabeth, prætensam Angliæ reginam, et ei adhærentes hæreticos, qua etiam declarantur absoluti omnes subditi a juramento fidelitatis, et quocumque alio debito, et deinceps obedientis Anathemate illaqueantur (Sander, *De Schismate Anglicano*, p. 368, ed. 1610).

² Charles Butler, *English Catholics*, i., p. 349.

to destroy, to scatter, to crush, to plant, and to build," it terms Elizabeth "the pretended Queen of England and the servant of wickedness". It proceeds, "we do, out of the fullness of our apostolic power declare the said Elizabeth, as being a heretic and a favourer of heretics, and her adherents, to have incurred the sentence of excommunication and to be cut off from the unity of the body of Christ. And moreover we declare her to be deprived of her pretended title to the kingdom, and of all dominion, dignity and privilege whatsoever, and also the nobility, subjects and peoples of the said kingdom, and all others who have in any way sworn unto her, to be for ever absolved from any such oath and all manner of duty, allegiance and obedience. And we command and charge all and every, the noblemen, subjects, peoples and others aforesaid that they presume not to obey her on her orders, mandates and laws, and those that shall do the contrary we include also in this sentence of anathema". This bull was confirmed and renewed by Gregory XIII. and Sixtus V.

After the Gunpowder Plot James I. devised an Oath of Allegiance, in order to discriminate between the Papistic faction and loyal Roman Catholics, and to confer peace and security upon the latter.¹ An opportunity was offered to the whole communion of showing that they were not disaffected, and that, though their spiritual head claimed the right of allowing or disallowing the performance of their civil duties, their religion was not inconsistent with

¹ The oath was intended, as James informs us, "to make a separation between so many of my subjects, who, although they were otherwise popishly affected, yet retained in their hearts the print of their natural duty to their sovereign, and those who, being carried away with the like fanatical zeal that the Powder traitors were, could not contain themselves within the bounds of their natural allegiance, but thought diversity of religion a safe pretext for all kinds of treasons and rebellions against their sovereign" (*King James's Works*, p. 248).

the safety of the State. In framing the Oath the greatest care was taken that it should contain nothing but matters of civil allegiance. It merely required the Roman Catholics to abjure the claim of the Pope to depose the King, and to absolve his subjects from their natural obedience. There was not a word in it touching any point of religion. This is now admitted by all. When James II. was Duke of York he took the Oath himself, and expressed his intention of enforcing it when he should be King.¹ Every proposition respecting the rights of an English Sovereign, and every denial of the deposing and absolving powers in it, have since been adopted by the Roman Catholics over and over again in their oaths and petitions. After the Oath was published, a copy of it was conveyed to Rome by Robert Parsons, and laid before the Pope. In a Brief addressed to the English Roman Catholics² Paul V. condemned it as "containing many things obviously contrary to faith and salvation," and admonished his flock to refuse it or any similar oath. When the Brief arrived in England, the Roman Catholics were thrown into the utmost confusion, for they wished, and felt it their duty, to take the Oath. Suspecting the agency of Parsons and the Jesuits, they questioned the authenticity of the Brief, or asserted it had been obtained on false pretences. To remove all doubts on this head, a second Brief³ was issued confirming that of the preceding year, and acknowledging it as the act of the Pontiff himself, but omitting, as the former had done, to specify what was objectionable in the Oath. In 1608 a third Brief was published, repeating the condemnation

¹ Butler, *English Catholics*, ii., p. 220.

² Breve Pauli V., Romani Pontificis, contra juramentum Fidelitatis, 22nd September, 1606 (Dodd's *Church History*, by Tierney, ix., Appendix p. 140).

³ Breve alterum Pauli V., Romani Pontificis contra juramentum Fidelitatis, 23rd August, 1607 (*Ib.*, p. 146).

of the Oath, and finally, in 1626, Urban VIII. issued a fourth condemnation. These repeated denunciations of the Popes were effectual, and the Oath was rejected by their communion in England. By this rejection, says a Roman Catholic clergyman and historian, the English people "were now authorised to declare that men whose *civil conduct* was subject to the control of a foreign Court could with no justice claim the common rights of citizens".¹ "Of all the transactions which have taken place amongst the Catholics of this kingdom," says Sir John Throckmorton, "none has been so fatal in its consequences as the opposition made to the Oath proposed by James . . . Unfortunately our clergy were at that time so dependent on the Court of Rome that they applied to that source of Ultramontane prejudices to know if it was lawful to take an oath precisely intended to convey a renunciation of those prejudices. The answer was such as might have been expected."² Bossuet asserted, about the year 1700, that if the English Roman Catholics had accepted the Oath offered to them by James "they might now be living in peace and security under certain conditions".³ Misled by the Papal teaching, the English Roman Catholics determined to disobey the laws of their country,⁴ and to stand aloof, as a separate class, from their fellow-citizens. By rejecting the Oath they acknowledged, as an article of faith—for Paul had con-

¹ Rev. Joseph Berington, *Agency of Panzani in England*, p. 78.

² *Second Letter to the Catholic Clergy of England*, p. 69.

³ "An. vero 1606. Jacobus Rex juramentum præstari jussit a Romanis Catholicis, quod si præstitissent, libere ac tuto certis conditionibus in sua religione viverent" (*Defensio*, pars. i., lib. iv., c. 23).

⁴ "The duty we owe to our Sovereigns doth not consist in taciturnity or keeping close within ourselves such allegiance as we think sufficient to afford them; but we are, especially when we are required thereunto, to make open profession of it, that we may appear unto them to be such subjects as we ought to be, and as they may rely upon" ("Secular Priests in their" *Important Considerations*).

demned it as contrary to salvation—that the Pope possessed the right of deposing their Prince, and of absolving themselves from their allegiance. The reasons which induced the Roman Pontiffs to condemn James's Oath and to recommend a policy which, for many generations, involved their flock in misery, were two. The first was that it denied the deposing power; the second was avowed by Innocent X. "The Holy See never can by any positive Act approve of the civil allegiance of Catholic subjects to a heretical Prince. From this maxim of the Holy See have arisen the many difficulties and disputes in England about the Oath of Allegiance."¹ Paul V. alleged in his Brief that he condemned the Oath for the salvation of souls. Innocent discloses the true motive.

For many years the Popes had been working at and revising the bull *In Cæna Domini*. In 1511 Julius II. issued an edition of it.² In 1536 Paul III. issued another differing but slightly from that of Pope Julius.³ In 1627 Urban VIII. published the last version in his *Pastoralis Romani Pontificis Vigilantia*, to which the following title is prefixed in the *Bullarium*—excommunication and anathematisation of heretics of every sect, and of those favouring or giving them aid or assistance; of schismatics and those disturbing ecclesiastical liberty or violating the contents of the bull *In Cæna Domini*.⁴ This bull was

¹ Carte, *Ormond*, i., p. 578. O'Connor, *Historical Address*, ii., p. 415. See also Hutton, *Embassy of Rinuccini*, Append., p. 580.

² *Anathematizatio hæreticorum, et aliorum contravenientium contentis in ista Constitutione quæ Bulla in Cæna Domini nuncupatur (Bullarium Magnum, i., p. 507).*

³ *Anathematizatio hæreticorum, et aliorum contravenientium contentis in hac Constitutione quæ Bulla in Cæna Domini appellatur (Ib., i., p. 718)*

⁴ *Excommunicatio et Anathematizatio hæreticorum cujuscumque Sectæ, eisque faventium, auxilium aut consilium quoquomodo præstantium; ac Schismaticorum, vel libertatem ecclesiasticam perturbantium, aut his, quæ in ista bulla in die Cæna Domini legi solita continentur, contravenientium (Ib., iv., 117).*

solemnly read out and published annually at Rome, on the Thursday of Passion week for 200 years, until its reading was prohibited by Clement XIV. in 1769. It excommunicates and anathematizes all heretics and schismatics; all who in their own dominions impose taxes, unless allowed by the law or the special permission of the Roman See; all who appeal to secular courts against the execution of Papal decrees, etc.; all secular judges who summon ecclesiastics before their tribunal; all who enact laws which directly or indirectly lessen or restrict ecclesiastical privileges or prejudice the rights of the Roman See; all who impede ecclesiastical judges in the exercise of their functions, and all who endeavour to elude their judgments and sentences by an application to a secular court, and also the judges in such courts who give ear to the complaint; all who impose taxes on ecclesiastical persons or possessions without the special license of the Roman Pontiffs, or even receive them when willingly paid; all magistrates, judges, notaries, scribes and executory officials who interfere or take part in capital or criminal cases against ecclesiastical persons "without the special specific, and express permission" of the Roman See. The Pope alone can grant absolution from these censures except *in articulo mortis*, and even then the penitent cannot be absolved until he has given caution for obeying and satisfying the commands of the Church.

In 1647, after the termination of the first English civil war, hopes were entertained of composing the differences between the King and the Parliament, and it was proposed to include the Roman Catholics in the general settlement of the nation. It was agreed that the Penal Statutes against that body should be repealed and liberty of conscience granted to its members, on condition they showed that their religion was not inconsistent with the

safety of the Civil Government. For this purpose they were required to sign in the negative the three following propositions :—

1. That the Pope or the Church hath power to absolve any person or persons whatsoever from his or their obedience to the Civil Government established in this nation.

2. That it is lawful by the Pope's or Church's command or dispensation to kill, destroy, or otherwise injure any person or persons whatsoever, because he or they are accused, condemned, censured or excommunicated for error, schism or heresy.

3. That it is lawful in itself or by the Pope's dispensation to break either word or oath with any persons above-said under pretence of their being heretics.¹

Fifty Roman Catholic noblemen and gentlemen and several of their clergy signed the propositions in the negative. When the subscription was known at Rome, Innocent X. called a Congregation for the special purpose of taking it into consideration.² It was condemned as heretical, and further, it was declared that the subscribers had incurred the penalties denounced against those who denied the power of the Popes in causes of faith.³ The condemnation did not specify any particular proposition to which the Pope and Congregation objected. All were condemned alike, and the English Government and people were left under the impression that the three propositions, taken affirmatively, were articles of the Roman Catholic faith.

At a later period in the history of Europe, when the

¹ An account of this transaction is given in Walsh's *History of the Irish Remonstrance*, pp. 522-54, and in Caron's *Remonstratio Hibernorum*, I. iv. 3.

² Letter of de Vecchius, Papal Nuncio at Brussels (Walsh, p. 16).

³ *Sacra Congregatio resolutionem illam negativam tanquam hæreticam mox condemnat; subscriptoresque in pœnas, in sacris canonibus et constitutionibus apostolicis contra negantes potestatem pontificiam in causis fidei incidisse declarat* (Caron, *Remonstratio Hibernorum*, I. iv. 8).

fervour of religious enthusiasm had calmed down, the anarchical teaching of the Popes might not have been followed by dangerous consequences. But before, and at the time when the first Penal Laws were passed, the existence of England as an independent State was threatened by the confederations of foreign powers which the Roman Pontiffs had organised against her. During the whole reign of Elizabeth the safety of England hung by a thread. In all human probability, nothing saved the kingdom from subjugation but the jealousy between France and Spain. When in 1580 the Jesuits first arrived in England, a Papal fleet and army were on their way to conquer Ireland; and a simultaneous invasion of the three Kingdoms by the Pope, the King of Spain, the Grand Duke of Tuscany, and the Knights of Malta had been arranged two months before the Jesuits left Rome.¹ To sanctify "the sacred expedition" Gregory XIII. had renewed the bull of Pius V. excommunicating and deposing Elizabeth. The jeopardy of England was great and imminent. Fortunately, at this juncture the old King of Portugal died, leaving a more tempting field for the ambition of Philip II., who, without losing a moment, poured the forces which had been intended for England into Portugal. Of the danger of this combination a Roman Catholic writer says, "statesmen who knew the circumstances of the case were nearly unanimous in attributing the salvation of Elizabeth's government to the death of the old King of Portugal".² At this date the only law which affected Roman Catholics as such, was the Act against the importation of Papal bulls, which was a revival of the last Præmunire statute.³

¹ Simpson's *Campion*, p. 230; *Calendar, State Papers, Venetian*, vii., p. 650; Labanoff, vii., pp. 152-61.

² Simpson's *Campion*, p. 231.

³ The Act of Supremacy affected all subjects, that of Uniformity all Dissenters. A declaration of the English Roman Catholic clergy, addressed

This was the crisis which the Pope chose to throw into England an element of discord and to divide the hearts of her subjects by undermining their loyalty. Two bodies of brave and devoted men, mistaking the worldly precepts of the Roman Pontiffs for divine commands, undertook to corrupt the allegiance of the English people by a secret propaganda of treason, and to preach a gospel of treachery within the kingdom. For Gregory XIII., by his indulgence, modifying the bull of Pius V. against Elizabeth, allowed the English Roman Catholics "to exhibit to her a temporary and conditional fealty and obedience as long as they could not help themselves; but the moment they could, or thought they could, or were told by the Pope that the time was come, then their obedience and fealty were to end; the censures were to resume their full force and the Queen was to be violently assailed".¹ The two parties to which the task was assigned, were the seminary priests and the Jesuits, the former directed by William Allen, who was afterwards raised to the Cardinalate for his services in this respect; the other by Robert Parsons, the irreconcilable enemy of a Protestant government.² The opinions which were taught in the seminaries which these men had

to Clement VIII., states: "During the short space of nearly two years that he [Parsons] spent in England [from June, 1580], so much did he irritate by his actions the mind of the Queen and her Ministers that on that occasion the *first* seven laws were enacted against the ministers of our religion and those who should harbour them" (Berington's *Panzani*, p. 28).

¹ Simpson, p. 130.

² "To the intriguing spirit of this man, whose whole life was a series of machinations against the sovereignty of his country, the succession of its crown, and the interests of the secular clergy of his own faith, were I to ascribe more than half the odium under which the English Catholics laboured through the heavy lapse of two centuries, I should only say what has often been said, and what as often has been said with truth" (Berington's *Panzani*, p. 26).

established and from which they despatched missionaries into England,¹ may be judged by those held by their founders. During the war in the Low Countries, Sir William Stanley betrayed to the Spaniards the town of Deventer of which he was Governor. This conduct excited great indignation in England. Allen hastened to address a letter to the officers of Stanley's regiment, justifying the betrayal and exhorting the Roman Catholics in all other regiments to do the same. "To come then to your purpose, though I have already by my letters to Sir William given my own opinion, I will yet, for better clearing the cause, set down here my mind more largely and distinctly. Therefore first I say, that the rendering of such towns and places of the Low Countries as be in any Englishman's custody is not only lawful but necessary to be done under pain of mortal sin and damnation. . . . Yea, I say more to you, gentlemen, seeing your desire to know my meaning fully on this point, that as all acts of justice within the realm done by the Queen's authority ever since she was by public sentence of the Church and See Apostolic declared a heretic and an enemy of God's Church, and for the same by name excommunicated and deposed from all royal dignity; as, I say, ever since the publication thereof, all is void by the law of God and man; so likewise no war can be lawfully denounced or waged by her, though otherwise in itself it were most just. Because that is the first condition, that it be denounced by one that hath lawful and supreme power to do the same, as no excommunicate person hath, especially if he be withall deposed from his regal dignity by Christ's own Vicar, which is the supreme power on earth. And all subjects are not only absolved and discharged of their service, oath, homage, and obedience, but specially

¹ Douay, Louvain, St. Omer, Valladolid, Seville, etc.

forbidden to serve or obey any such canonically condemned person.”¹

Previous to the sailing of the Armada, Allen by order of Pope Sixtus V. drew up a manifesto which was dispersed among the English Roman Catholics. “This publication” says the Rev. M. A. Tierney, “the most offensive perhaps of the many offensive libels sent forth by the party to which Allen had attached himself . . . in a tone of most scurrilous invective denounced the character and conduct of the Queen, portrayed her as the offspring of adultery and incest, a heretic and the maintainer of heretics, a persecutor of God’s Church, a lascivious tyrant, and an unholy perjurer”.² It concluded by calling on the English to rally to the standard of the Spanish invader as their rightful King. “Now therefore, my lords and dear countrymen, if you list, follow this, God’s ordinance and happy provision that He hath of His great mercy made for your honours, liberty and salvation. If you without delay join yourselves, as God, conscience and nature bindeth you; if you take part one with another in so goodly and honourable a quarrel, you shall attain your purpose without all bloodshed, where otherwise, if you should either sit still or refuse to help or sever yourselves one from another or any of you seek to uphold—which God forbid—the usurper or her complices, being thus cursed by the Church and forsaken of God and of all good men, you that do so, shall first incur the Angel’s curse and malediction upon the inhabitants of Meros, who sat still and would not help God nor venture their lives in His quarrel, and secondly, be as deeply excommunicated as she is, and so you shall be guilty of your own ruin and the blood of the people, and

¹ The copy of a letter written by M. Doctor Allen, concerning the yielding up of the citie of Darentie unto his Catholic Majesty, etc. Reprinted by the Chetham Society, 1851.

² Dodd’s *Church History*, by Tierney, iii., p. 29.

yet shall not prevail. You shall fight against God and against his anointed, against your next lawful king, against truth, faith, religion, conscience, and your dear country. You shall doubtless defend, yea to your own present destruction and eternal shame, a most unjust usurper and open injurer of all nations, an infamous, depraved, accursed, excommunicated heretic, the very shame of her sex and princely name, the chief spectacle of sin and abomination in this our age, and the only poison, calamity, and destruction of our noble Church. Fight not, for God's love; fight not in that quarrel in which if you die you are sure to be damned."¹

The writings and opinions of Parsons were equally dangerous and subversive of the authority of Protestant Princes. In one of his works he says, "The whole of divines and canonists do hold that it is certain and of faith, that any Christian Prince whatever, if he shall manifestly deflect from the Catholic religion and endeavour to draw others from the same, does immediately fall from all power and dignity by the very force of human and divine law, and that also before any sentence of the Supreme Pastor or Judge pronounced against him; and that his subjects whatsoever are free from all obligation of that oath which they had taken for their allegiance to him as their lawful prince; and that they may and ought, if they have forces, drive out such a man as an apostate or heretic and a backslider from the Lord and Christ and an enemy to the commonwealth, from all dominion over Christians, lest he infect others or, by his example or command, turn others from the

¹ "An Admonition to the nobility and people of England and Ireland concerning the present wars made for the execution of his Holiness's Sentence by the high and mighty King Catholic of Spain." The substance of this address was also compressed into a smaller compass, and printed as a broadside, with the title, "A Declaration of the Sentence of Deposition of Elizabeth, the Usurper and Pretended Queen of England".

faith, and that this certain, definite, and undoubted opinion of the best learned men is wholly agreeable, and consonant to the apostolical doctrine".¹ Parsons also, after the death of Philip II., compelled the English students in the Spanish seminaries to acknowledge the Infanta as their lawful Queen "that on their return they might persuade their relations to accept no other".² The opinion of Cardinal D'Ossat on the teaching in the colleges founded by Allen and Parsons has already been given.

The tenets taught in the seminaries established by these men, and which were propagated in these countries by the priests educated in them, were not matters of barren speculation and school disputation. They contained the active and prolific germs of discord, which, if not arrested by stern statutes, might have divided the English people and made their country an easy conquest. They struck directly at the unity of affection in the subject which was necessary for the defence of England, threatened as it was by Catholic Europe. The ultimate success of Elizabeth's government tends to make us forget the real and imminent dangers which then encompassed England. Allen and Parsons, who had the best means of knowing their own party, furnish conclusive evidence of the strength of the Papistic faction at home. Their testimony, together with that of other contemporary Roman Catholics, enables us to judge what support this party could have given to an invasion and how willing it was to do so. In 1582, Parsons told Tassis, the Spanish agent in Paris, that he knew from the declarations made to himself in confession that the English Roman Catholics would join

¹ Throckmorton, *Letters to the Catholic Clergy*, p. 129.

² Letter of Thomas Bluet, a missionary priest, to the Cardinals Borghese and Aragon (*Calendar State Papers, Domestic, Elizabeth*, 1601-3, p. 170).

the invasion projected by the Guises about that year, and that "things had gone so far that there could be no doubt about it, and that most certainly England was very well disposed at the present time for this movement being attempted there".¹ In May of the same year, the Papal Nuncio in Paris wrote to the Pope that the Duke of Guise had made up his mind to invade England, "having a good understanding with the Catholics of England."² In August, 1583, the Duke of Guise sent Parsons to Rome to inform the Pope that the invading army would land on the northern coasts, where the Catholics would receive it joyfully; "these," he said, "are so numerous that in a few days twenty thousand of them will join the invading army on horseback".³ During this year, Allen addressed to the Pope a report on the state of England, entitled "A short note of the standing condition of affairs in England, to show the easiness and opportuneness of the sacred expedition." "If we divide England into three parts, two at least are well affected in heart to the Catholic religion, though many for fear of the Queen do not make a public profession of their faith. . . . The nobles, who all live in their country houses and castles surrounded by their retainers, and especially the yeomen who are exceedingly rich, honourable, powerful, and tenacious of traditions, are the real strength of England. The majority of the gentlemen are well affected in religion, the old nobility are so also."⁴ . . . With all these elements of strength we

¹ *Letters and Memorials of Cardinal Allen*, p. 39.

² *Ib.*, p. 36.

³ *Ib.*, p. 57.

⁴ With this estimate compare that of Rishton, the continuator of Sander, who died in 1685. "Besides the very large number of the high nobility, of which I have already spoken, the greater part of the lesser nobility was certainly Catholic; the farmers also throughout the kingdom, an honourable and wealthy class, detested the new heresy." Sander, *De Schismate Anglicano*, p. 340, ed. 1610.

cannot doubt of the success of the expedition. For that all these will follow our party when they see themselves supported by a sufficient foreign force can easily be shown. . . . The Catholics are now much more numerous than they then (1569, the year of the Northern Rebellion) were, and better instructed by our men and priests' daily exhortations, teaching, writing, and administration of the sacraments; so much so that of all the orthodox in the whole realm there is not one who any longer thinks himself bound in conscience to obey the Queen, though fear leads them to think that they may obey her, which fear will be removed when they see the foreign force; and we have lately published a book specially to prove that it is not only lawful but even our bounden duty to take up arms at the Pope's bidding, and to fight for the Catholic faith against the Queen and other heretics. And as the book is greedily read by all the Catholics, it is impossible but that, when occasion serves, they should enroll themselves in the Catholic army. Because we still have, in spite of the numbers banished, nearly three hundred priests in various noblemen's and gentlemen's houses; and we are almost daily sending fresh ones, who, when it is necessary, will direct the Catholics' consciences and actions in this matter."¹ In 1688 one of Allen's priests, addressing the Spanish minister, Mendoza, as the person who "had the principal managing . . . betwixt the King Catholic assisted with the potentates of the Holy League and all our countrymen which have professed obedience to the Church of Rome," deplored the failure of the Armada. "With the hope of the landing of these great armies and our assistance in taking part, we have continued all this year past in assured hope of a full victory until the last month, but, alas! and with a

¹ Quoted from Theiner by Simpson in his *Life of Campion*, p. 337.

deadly sorrow, we must all at home and abroad lament our sudden fall.”¹ At the end of Elizabeth’s reign we have further proof of the strength of the Papistic faction. On the day she was seized with her last illness, a “protestation of allegiance” was presented to her Council by some priests declaring, “if the Pope should excommunicate every one born within Her Majesty’s dominions, that they would not forsake the defence of Her Majesty and realms, and take part with such conspirators or invaders; in these and all other such like cases, we do think ourselves and all the lay Catholics . . . bound in conscience not to obey this or any such censure, but will defend our Prince and country, accounting it our duty to do so, and, notwithstanding any authority or any excommunication whatsoever either denounced or to be denounced as is aforesaid, to yield unto Her Majesty all obedience in temporal causes”.² Of the many hundred priests then in England, only thirteen could be induced to sign the protestation; “a lamentable proof,” says Sir John Throckmorton, “of the prevalence of the Papistic party”.³ And Charles Butler writes: “Much indeed is it to be lamented that it was not generally signed by all the Catholic clergy and laity of England. But it was opposed by a powerful party”.⁴ Of this protestation, the Rev. Joseph Berington says: “Had the Catholics in a body, on the accession of King James, waited on him with the protestation of allegiance . . . as containing their true and loyal sentiments, we should probably have heard no more of recusancy or penal prosecution”.⁵

Allen’s report reveals the true causes of the Penal Laws.

¹ *Harleian Miscellany*, i., p. 142.

² The Protestation is given in Tierney’s *Dodd*, iii., Append., p. 188, and in Butler’s *English Catholics*, i., p. 233.

³ *Letters to the Catholic Clergy*, p. 131.

⁴ *English Catholics*, ii., p. 63.

⁵ *Agency of Panzani*, p. 73.

There was a powerful faction at home working for the destruction of England and her conquest by the Spanish King, whom Allen, Parsons, and their disciples regarded as their rightful sovereign. Parsons tells us that the priests were ready to give notice of an invasion to "the principal Catholics";¹ and Allen informs us that he had nearly three hundred priests in the country, and was almost daily sending fresh supplies to direct the consciences and actions of the Roman Catholics in favour of the "sacred expedition" which was to enslave England. It was against these men and those who abetted them in disturbing the peace of the kingdom and alienating the affections of its inhabitants, that the Penal Laws were directed at a time when, as a Roman Catholic writer expresses it "the eternal truths of Catholicism were made the vehicle for a quantity of speculative and practical opinions about the temporal authority of the Holy See, which could not be held by Englishmen loyal to the Government",² and when religion was called in to dissolve every social tie. It is remarkable that, though these laws were extremely severe, many Roman Catholic writers in speaking of them have adopted a tone of apology for them. Parsons himself acknowledged that Elizabeth was forced to take the step she did against the seminary priests.³ William Watson, one of them, asserted in 1601 that it was a wonder, considering the conduct of the Roman Catholics to the State, that a single one of them had been left alive. His words are: "The affliction of Catholics in England hath been in very deed extraordinary . . . so also hath the cause thereof been extraordinary . . . as rather it is to be wondered at, all things duly considered,

¹ *Letters and Memorials of Cardinal Allen*, p. 41.

² *Simpson's Campion*, p. 343.

³ Letter of Thomas Bluet, a seminary priest. *Cal. State Papers, Domestic, Elizabeth, 1601-3*, p. 170.

that any one Catholic is left in life in England than that our persecution hath been so great. For name one nation, I know none can, under heaven, where the subjects, especially if they were Catholics, ever sought the death of their sovereign though of a different religion from them, the conquest of their native land, the subversion of the State, the depopulation of the weal public, the alteration and change of all laws, customs and orders, and in few, the utter devastation, desolation, and destruction of all the ancient inhabitants of their land in so unnatural, unchristian, uncatholic a manner as the Spanish faction have sought it in our own flesh and blood against this realm.”¹ About the same time, the Secular priests wrote: “When we consider on the one side what we know ourselves concerning the laws made of later years, with the occasions of them, and likewise as touching the proceedings of the State here since the beginning of Her Majesty’s reign, as well against us that are priests as also against other Catholics of the laity; and do find on the other side what practices under the pretence of religion have been set on foot for the utter subversion of the Queen and her kingdom, and therewith call to mind what sundry Jesuits and men wholly, for the time or altogether, addicted to Jesuitism have written and published to the world in sundry treatises . . . it may in our opinion be rather wondered that so many Catholics of both sorts are left alive in the realm to speak of the Catholic Faith than that the State hath proceeded with us from time to time as it hath done.”² In a subsequent part of their treatise, they assert that the Penal Laws were brought upon their community by the hostile attempts against England abroad, and the support given to them by Roman Catholics at home. Bossuet declared that the Roman

¹ *Decachordon*, p. 276.

² *Important Considerations*, 1601.

Catholics in England were not punished as Catholics, but "as public enemies, as men ever disposed, when the Pope should order, to revolt against their King".¹ The Rev. Joseph Berington and Sir John Throckmorton attribute the Penal Laws to the seditious doctrines of the Jesuits and seminary priests, and say that if these missionaries had not come to England, no such laws would ever have been passed. The Rev. Charles O'Connor ascribes them to the intrigues of "a foreign-influenced faction". Father Walsh to the treasonable maxims prevalent amongst the majority of his community, and the Rev. Charles Dodd in his *Church History* to the misconduct of a minority. A modern Roman Catholic writer asserts that, as the seminary priests "turned religion into rebellion and faith into faction" the English Government would have been justified on political grounds to proceed even to their extermination.²

The English enactments were principally intended to prevent the Jesuits and seminary priests from spreading their seditious doctrines, but they were not, during Elizabeth's reign, extended or executed against the old Marian priests, who limited themselves to their spiritual duties, or against anyone who abstained from treasonable proceedings. The Rev. Joseph Berington assures us that "none of the old clergy suffered, and none of the new who roundly renounced the assumed prerogative of Papal despotism".³ The secular priests, after enumerating a long series of bulls, conspiracies, assassination plots, invasions, etc., say: "If we at home all of us, both priests and people, had possessed our souls in meekness and humility, honoured Her Majesty, borne with the infirmities of the State, suffered all things, and dealt as true Catholic priests; if all of us, we say, had

¹ *Defensio*, pars. i., lib. iv., c. xxiii.

² Simpson's *Campion*, p. 336.

³ *Agency of Panzani*, p. 34.

thus done, most assuredly the State would have loved us, or at least borne with us; where there is one Catholic, there would have been ten; there had been no speeches amongst us of racks and torments, nor any cause to have used them; for none were ever vexed that way simply for that he was either priest or Catholic, but because they were suspected to have had their hands in some of the said most traitorous designments.”¹

Charles Butler tells us that “the claim of the Popes to temporal power by divine right has been one of the most calamitous events in the history of the Church; its effects since the Reformation on the English, Irish and Scottish Catholics have been dreadful”;² and that by the bull of Pius V. “the Pope assumed a right, the exercise of which Christ had explicitly disclaimed for Himself; that it tended to produce a civil war between the Queen’s Protestant and Catholic subjects, with all the horrors of a disputed succession.”³ If the effects of the Papal teaching were lamentable in a country which had always repudiated any political action of the Popes, how much greater must they have been in Ireland, a kingdom wholly devoted to the ultramontane tenet, which attributed supreme temporal authority to the Roman Pontiffs. It turned the island more than once into a field of blood, forbade union with the English, and prevented the growth of prosperity. To it and the “many thundering bulls” issued by the Popes Father Walsh ascribed all the sufferings of the Irish Roman Catholics up to his time. “How many dangerous invasions from abroad and insurrections at home, how many other treasonable conspiracies and horrid plots followed those Papal sentences, and all the ill success of such unchristian, bloody undertakings, the extinction of so many hundred

¹ *Important Considerations.*

² *English Catholics*, i., p. 347.

³ *Ib.*, p. 349.

illustrious families, the distress of so many thousand ancient houses, the destruction of so many myriads of poor harmless, innocent persons on every side.”¹ One historical fact proves conclusively that it was the political religion taught to the Irish which caused the miseries of Ireland, and the hatred of its inhabitants to the English name. All of the old Celtic families and all of the Anglo-Irish which adopted the Reformed faith became at once loyal and the firmest supporters of the English Government.

In addition to the bulls, directed to all Roman Catholics, deposing the English Queen, and absolving her subjects from their allegiance, special briefs or letters were addressed to the Irish. Every rebel, whether a Fitzmaurice, or a Geraldine, or an O'Neill, was sure to receive a Papal rescript exhorting the Irish to fight against the English, and describing them as heretics or the enemies of God.² As late as 1642, after the massacres in the North, Urban VIII., having learned that Owen Roe O'Neill was about to start for Ireland, granted to him and all who should fight against the English a plenary pardon and remission of sins.³ In the following year, the same Pope, having heard that the Irish “do in them what lyeth to extirpate and totally root out those workers of iniquity who in the kingdom of Ireland had infected and (were) always striving to infect the mass of Catholic purity with the pestiferous leaven of their heretical contagion,” granted

¹ “Address to the Catholics,” prefixed to the *History of the Irish Remonstrance*.

² The letter or brief addressed to the Irish in favour of James Fitzmaurice is given in Ellis, *Original Letters*, second series, iii., p. 93; and a translation of it in *Phelan's Remains*, ii., p. 204; that in favour of John Geraldine in O'Sullivan, *Historiæ Catholicæ Compendium*; the letter to O'Neill in *Pacata Hibernia*, ii., p. 667.

³ *History of Affairs in Ireland, 1641-52*, ii., p. 524.

to all those "militating against the heretics," "a full and plenary indulgence and absolute remission for all their sins."¹ But what, next to the rebellion and massacres of 1641, most injured the Irish Roman Catholics was their rejection, under the direct injunctions of Rome, of a test of allegiance in the reign of Charles II. In 1666, an opportunity was offered to them similar to that which had been given to the English Roman Catholics by James I., of showing that their religion was not inconsistent with the safety of the State. Shortly after the Restoration, a movement was made in England for the relaxation of the Penal Laws. The King and the House of Lords were favourable to it, but the opportunity was lost by the dissensions which broke out among the Roman Catholics themselves respecting a disclaimer of the Pope's temporal power and an oath of allegiance. This movement encouraged the Irish clergy to petition the King for a mitigation of the laws which affected them. They were advised to incorporate in their petition a declaration of their sentiments respecting the obedience due from them to the Civil Government, and to profess their unqualified obedience to the King and their rejection of the deposing power. Some time was passed in discussing the matter, and, towards the end of 1661, the framing of the petition was entrusted to Richard Belling, formerly secretary to the Kilkenny Confederation. For this purpose Belling made use of a petition presented to Parliament about 1641 by the English Roman Catholics, which contained a full and explicit renunciation of the deposing and absolving powers.² From this document he extracted the protestation of allegiance, "word by word

¹ *History of Affairs in Ireland, 1641-52*, p. 632. Father Walsh also mentions and deplors the issue of this bull or brief. It is dated 25th May, 1643.

² This petition is in Cressy's *Exomologesis*, p. 72, ed. 1647. It was removed from the subsequent edition.

without any other change but of the application to the King instead of the Parliament and of Ireland instead of England,"¹ and inserted it in the Irish Petition or Remonstrance, as it came to be called from its title.² The Remonstrance contained nothing whatever against the faith of Roman Catholics, and is now acknowledged by all to be perfectly free from objection.³ Like the oath of James, it merely disclaimed the Papal power of deposing the King and absolving his subjects from their allegiance, and declared it impious and against the word of God to maintain that any private person might kill his Prince, though of a different religion.

During the remainder of 1661 and throughout 1662, the Remonstrance was discussed both in public and private. A copy of it was sent to London, where many of the Irish nobility and gentry were assembled, the Act of Settlement being then under consideration. Several meetings were held by these laymen in consultation with eminent members of the English Roman Catholic nobility. Their English associates strongly advised the Irish to sign the copy, and asserted "that, were the case of the Irish theirs, they and all the rest of the English nobility and gentry of the Roman communion would willingly sign that Remonstrance *in terminis*, and even sign it with their blood, were this necessary."⁴ After many meetings and eight weeks' debates the Remonstrance, with a few trifling changes to make it suitable for laymen, was signed by ninety-seven Irish noblemen and gentlemen, and presented to the King. The effect of this presentation was immediate. The Irish

¹ Walsh, *Hist. of the Irish Remonstrance*, p. 7.

² "The humble Remonstrance, Acknowledgment, Protestation and Petition of the Roman Catholic Clergy of Ireland."

³ Throckmorton, *Letters to the Catholic Clergy*, p. 155.

⁴ Walsh, p. 698.

Roman Catholics were at once allowed, by the express directions of Charles, to exercise their religion in freedom and peace.¹ The secular Roman Catholic clergy of England also highly approved of the Remonstrance, and declared to their Irish brethren that, if it were tendered to them, they would willingly sign it.²

The Roman See, carrying out its policy of maintaining its claims to the deposing power, and of forbidding a protestation to be made by Roman Catholics to a Protestant Sovereign, at once interfered to prevent the signature of the Remonstrance. The Nuncio at Brussels, to whom the superintendence of the Irish clergy was entrusted, wrote to several of them in 1662 against the Remonstrance, and many copies of his letter were dispersed with much diligence throughout the kingdom. "Your paternity hath desired from me what hath been resolved at Rome concerning the Declaration or Protestation beginning 'Your Majesty's faithful subjects' and ending 'prescribed by the law,'³ presented to the most serene King of England and subscribed by some Irish ecclesiastics. Wherefore I thought I should very well satisfy your desires if I communicated to you what hath been written thereupon by command of our most Holy Lord. To wit, that after diligent discussion in several meetings of the most eminent cardinals and divines, that protestation hath been found, like the returning Hydra, to contain propositions agreeing with others heretofore condemned by the See Apostolic, particularly by Paul V. of happy memory by a constitution in form of a Brief, and lately in 1648 in a Congregation purposely held to that end by Innocent X. And hence it is that the most

¹ Expostulatory Letter of Eighteen Irish Priests (Walsh, p. 697).

² Letter of the English Dean and Chapter to the Bishop of Dromore (*Ib.*, p. 55).

³ The first and last words of the Remonstrance.

Holy Lord hath thought no more necessary now but that this very thing should be declared, and commanded us to testify unto all this his mind, to the end it may appear publicly that the said Protestation and subscriptions added have not only not been approved by his Holiness, but not as much as permitted or even by connivance tolerated. Yea, that he has grievously resented that by the example of ecclesiastics the secular nobles of the foresaid kingdom of Ireland have been drawn into the same error, whose protestation and subscription he doth in like manner condemn according to the above form, and this to deliver the consciences of Catholics from the fraud and error wherewith they are circumvented.”¹ In another letter of the same year the Nuncio repeated his condemnation of the Remonstrance,² and about the same time Cardinal Barberini wrote, in the name of the whole Congregation *de propaganda fide*, to the noblemen of Ireland condemning it as a violation of the Catholic Faith.³

As the prospect was held out to the Roman Catholics of Ireland of obtaining relief, it became desirable to know whether the Remonstrance represented the real opinions of their clergy on the question of allegiance to the State. If it did not, all further discussion was at an end, and the Government could only conclude that neither they nor the laity, over whom they exercised a dominant influence, were fit to be admitted to the full rights of citizens. To give an opportunity for a free and public debate on the subject of civil obedience, the Duke of Ormond, then Lord Lieutenant of Ireland, allowed a national Synod of that persuasion to be convened in Dublin.

To the meeting of this Synod the Court of Rome offered every opposition. In April, 1666, Cardinal Barberini wrote

¹ Walsh, p. 16.

² *Ib.*, p. 514.

³ *Ad Præstantes Viros Hiberniæ*, p. 17.

to the "clergy and Catholics of Ireland" as follows:—
 "Four years now are almost passed since our most holy Lord out of his love to you hath by my letters admonished you of dangers to your salvation which are impending from false brethren. And when he mightily desired to hear news of the snare broken and you delivered, behold, the sad tidings come of your having agreed amongst yourselves that a Congregation shall be held at Dublin on the third of the Ides of June, for deliberating on the point of subscribing that protestation, which, making show of the title of fidelity, asserts things contrary to the Catholic faith."¹
 And in May of the same year, Rospigliosi, then the Papal Nuncio at Brussels, wrote to the "Bishops and Clergy of Ireland" denouncing the Remonstrance and declaring that their nation was in danger of contaminating the Catholic faith by a subscription to it.²

The Synod met on the 11th of June, 1666, and continued its sittings till the 25th of the same month. Overawed by the ascendancy of Rome even in purely civil matters, its members refused to sign the Remonstrance, and drew up on the 16th of June, what they called "a Remonstrance and Protestation of their loyalty". This instrument contained no denial of the deposing power, nor any mention of the Pope's name, and when read by the light of the schoolmen's mode of interpretation, and of the rule of the canonists that the Pope is not referred to in any document in which he is not named, was evasive and offered no guarantee of their allegiance.³ The Duke of Ormond refused to receive any protestation which did not contain an explicit disclaimer of the deposing and absolving powers, and the Synod was dissolved. Thus was lost to

¹ *Ad Præstantes Viros Hiberniæ*, p. 633.

² *Ib.*, p. 634.

³ Father Walsh, in his second treatise, shows how defective and evasive the Protestation of the Synod was.

the Roman Catholics of Ireland what Father Walsh truly calls "a fair opportunity of being not only eased of all their pressure from the Penal Statutes, but rendered as happy as they could in reason desire, or even wish, under a Protestant King and Government." ¹

It is unfair to the memory of the dead to rail against the Penal Laws without weighing carefully the causes which, in the judgment of their authors, rendered them necessary. We may be sure that the Englishmen, who faced Europe in defence of their country and of their religion, would not lightly have inflicted penalties on their fellow subjects. If the seditious doctrines connected with the Papal claims to depose princes had never been propagated in England, no such enactments would ever have been heard of in that country.² If these doctrines had never been taught in Ireland, if Papal invasions had not been despatched to the island, and if an irreclaimable disaffection to the English name had not been inculcated by the bulls and briefs of the Popes and by their ministers in the kingdom, no Penal Laws would ever have been enacted. The men who passed the Irish Penal Statutes were intelligent enough to know that such laws must diminish the wealth of the nation and the value of their own estates. It is inconceivable that laymen, a class generally free from theological odium, should have voted for such laws if they did not consider them necessary

¹ Address to the Roman Catholics of England, Ireland and Scotland, p. 27.

² "Had these men (the Roman Catholic clergy who retired to foreign schools) remained at home, patient of present evils, and submissive as far as might be to the laws . . . no jealousy would have been excited, and no penal statutes, we may now pronounce, would have entailed misfortunes upon them and their successors" (Rev. Joseph Berington). "Had these seminaries never existed, we had not heard of the seditious doctrines which I have mentioned, nor should we have been oppressed by the subsequent cruel laws enacted against our religion" (Sir John Throckmorton).

for their own preservation. They had nothing to gain by them. No property was by any of them taken from Roman Catholics and transferred to themselves. The Irish Parliament had granted not only toleration but political equality to the Roman Catholics before the Great Rebellion. Some new reasons must have arisen to alter their minds, and it is not difficult to point these reasons out. The immediate causes of the Irish Penal Laws, which were principally enacted in the reigns of William and Anne were: the rebellion and massacres of 1641; the refusal of the Roman Catholics of an oath of allegiance in 1666; the persecution and beggaring of the Protestants by Tirconnell; the cruel laws of the Jacobite Parliament of 1689, and the existence of an Irish army, "near 30,000"¹ strong, in the service of France and ready at a moment's notice to invade Ireland. Before Sarsfield left Ireland he issued a proclamation to his troops, declaring that they were going to France only to return as a conquering army.² It was this series of circumstances which led the Irish Parliament to adopt the opinion of the English Parliament, that the Irish were irreconcilable and that "the only way of securing that kingdom to the Crown of England was the putting it out of the power of the Irish again to rebel, gentle means having hitherto always proved ineffectual"³. An Irish Roman Catholic Bishop deposed in 1825 that "the connection of the Roman Catholics with the Stuarts was such as justified and even made it necessary for the English Government to pass some Penal Laws against the Catholics"⁴. The Bishop deplores their harshness, but whilst we acknowledge their severity let us ask ourselves

¹ This is the estimate of James II. Clarke's *Life*, ii., p. 465.

² Story, *Continuation*, p. 259.

³ *Journals of the English Commons*, xi., p. 57.

⁴ Evidence of Dr. Doyle, *Digest of Evidence*, p. 399.

one question. What would have been the fate under any other Government than the English of a body of Dissenters, who held that their chief pastor could depose their lawful sovereign and absolve themselves from their obedience, and who refused to give any guarantee of their allegiance. They would have been banished, as were the Protestants from Bohemia, Bavaria and Salzburg, or exterminated as was attempted in France in the case of the Huguenots. "What King in the world," say the Secular priests, ". . . would not make the best trial of them [his subjects] he could for his better satisfaction whom he might trust to? In which trial, if he found any that either should make doubtful answers, or peremptorily affirm that, as the case stood betwixt him and his enemies, they would leave him their Prince and take part with them; might he not justly repute them for traitors and deal with them accordingly? Sure we are that no king or prince in Christendom would like or tolerate such subjects within their dominions, if possibly they could be rid of them."¹

¹ *Important Considerations.*

CHAPTER XI.

CONDITION OF IRELAND FOR MANY YEARS AFTER THE WAR
OF THE REVOLUTION—POYNINGS' LAW—THE REVENUE
OF IRELAND.

WHEN the Williamite war was ended by the capitulation of Limerick in October, 1691, Ireland was in a deplorable condition. The island which only five years before had been "the most improved and improving spot of ground in Europe" had become a waste. As early as the end of 1688, Chief Justice Keating, a strong Jacobite, declared that the country was "a meer Acheldama and totally desert".¹ All the sources of its natural wealth had disappeared. Its manufacturers had been driven away. Its herds of cattle and flocks of sheep had been destroyed, and cultivation had ceased. Its principal towns, as Cork, Limerick, Derry, Athlone, Enniskillen and Kinsale, had suffered greatly from siege; and many of the smaller, as Omagh, Middleton, Doneraile and Rathcormack,² had been burnt by the Irish; while the country at large had been ravaged by the rapparees, the unpaid soldiery of Tirconnell, and the contending armies. The revenue, which had been farmed in 1678 for £300,000, amounted, for the period between June, 1690, and September, 1692, to little more than a third of that sum,³ and in 1697 it became necessary

¹ Letter of Chief Justice Keating to Sir John Temple, 1688 (Appendix to King).

² *Commons' Journals*, ii., pp. 25, 81.

³ Clarendon, *Sketch of the Revenue of Ireland*, p. 29.

to remit a large portion of the Crown quit rents, as much of the lands from which they issued had been returned as waste from Lady Day, 1692, to the same day in 1695.¹

After the Elizabethan and Cromwellian conquests, Ireland had shown wonderful recuperative powers. But this recovery must be attributed not to the native race, but to the new colonies which arrived at the end of these wars. Ulster, which had been totally devastated during the Tyrone insurrection, and which was chiefly inhabited by pastoral families or communities, wandering up and down with their cattle,² became the settled home of a hardy and industrious race from Scotland and the border counties. The new possessors cleared the country of its dense forests, drained its bogs, built stone houses,³ and commenced the work that has made that province the garden of Ireland, though its soil was then and long afterwards regarded as the poorest in the kingdom.⁴ Subsequently to the plantation of Ulster, the adventurers and Cromwellian soldiers occupied Leinster, Munster, and a portion of the Northern

¹ Abstract of the arrears of quit rents in the four provinces, *Commons' Journals*, ii., pt. 2, pp. 22-28; 9 Will. III., c. 4; 2 Anne, c. 4, s. 6.

² "In 1652 the bulk of the inhabitants of our province continued to live as creaghts . . . according to their ancient but barbarous manner of life, having no fixed habitations, but wandering up and down with their families and substance. . . . In peaceable times the men of a sclocht or community of these herd-people lay at night in a circle round a fire among their women and children, hardly superior in outward appearance to the animals they herded with" (*Ulster Archæological Journal*, vi., p. 124).

³ In the church of Coleraine there is a tablet to the memory of the wife of Edward Dodington, Captain of the Castle of Dungevin, in the county of Coleraine, now Londonderry County, "who there first built after the English fashion"—*qui ibi primus edificabat more Anglicano*. She died 1610.

⁴ The rates at which Irish lands were to be assigned to the adventurers who advanced their money under the 17th of Charles I. were: 1,000 acres in Ulster, £200; in Connaught, £300; in Munster, £450; in Leinster, £600.

provinces. What they effected within a few years is known to us by the evidence of Lord Clarendon and Archdeacon Lynch, and by the great advance in the revenue. But nothing of this kind on a considerable scale took place at the end of the Williamite war. With the exception of a few French and Dutch Protestants, some reinforcements to the Northern Presbyterians, and a reduction in the number of Roman Catholics, things were as they had been before the war.

The outlook for Ireland at the commencement of the eighteenth century was well nigh desperate. A homogeneous people soon repaired the ravages of war, or famine, or both. But Ireland was very far from being homogeneous. Three communities, differing in religion and political principles, existed side by side in the island: the Episcopalians, then called Protestants, the Presbyterians and the Roman Catholics. It is only necessary to consider shortly the condition of each of these, to understand what elements of discord and animosity were at work.

The whole power and government of the country were in the hands of the Episcopalians, whose bishops exercised a very great political influence, and almost always formed the majority in the House of Lords. Previously to the cruel administration of Tirconnell, a large number of the Episcopal clergy had believed and preached the doctrine of passive obedience, and, on the arrival of King James, those of them who had not fled to England, prayed for his success, and denounced the conduct of the Northerners who resisted his authority. Four of the bishops attended the Jacobite Parliament of 1689,¹ and two persisted to the last in refusing to take the oath to the new government.² After the

¹ Dopping of Meath, Otway of Ossory, Digby of Limerick and Wetenhall of Cork.

² Sheridan of Kilmore, and Otway.

close of the war, and their own restoration to power, the bishops, many of whom were Jacobites at heart, resisted for seventy years the claims of the Presbyterians to be admitted to political equality.

The Presbyterians were a more warlike and a more vigorous class than the Episcopalians. All through the rebellion of 1641-1652, they had kept their settlements in the North clear from the rebels, and had inflicted a defeat on Owen Roe O'Neill in 1643.¹ Their defence of Derry against King James in 1689 was a feat of European importance. It enabled William to close the war much sooner than he otherwise could have done, and to send English forces to the aid of the Confederation against Louis XIV. During the life of William, the position of the Irish Presbyterians was almost the direct opposite of that of English Dissenters. In England, the worship of the Dissenter was legalised, but he was incapable of public office unless he qualified himself by taking the Sacrament according to the rites of the Established Church, as required by the Test Act. In Ireland, the Presbyterian was eligible to all public offices and to Parliament, but his worship and discipline were prohibited by law, though connived at in deference to the known sentiments of the King.² Early in the reign of Anne, 1703, a clause was inserted in the Act "to prevent the further growth of Popery," which extended the Sacramental test to Ireland. The effect of this clause was, to exclude the Presbyterians from all employment civil or military, from the magistracy, and from municipal offices in the corporate towns, though they still remained eligible to Parliament. This state of affairs lasted until five years after the accession of the House of Brunswick. In 1719 a law was passed enabling them to celebrate their worship

¹ Carte, i., p. 493.

² Reid, *History of the Presbyterian Church*, ii., p. 421.

without molestation,¹ but they continued to be incapable of public employment until 1780, when a Short Act² repealed the Test Clause, and admitted them to citizenship.

The action of the bishops—for it can scarcely be doubted that it was by their influence that the sacramental clause was added in England to an Irish Act against Popery—and their long continued opposition to the claims of the Presbyterians, in direct opposition to the wishes of the English Government, have naturally been attributed to their hatred of Nonconformist worship and church discipline. But this explanation, like so many others, leaves out some facts worthy of consideration. Perfect toleration and even endowment were granted by the Irish Parliament to the French and other foreign Protestants, whose worship and discipline differed very slightly from the Presbyterian.³ It is clear that this could not have been done without the assent of the bishops. What chiefly influenced the bishops, was the known hostility of the Presbyterians to Episcopacy, and the contemporaneous conduct of their mother church in Scotland. In that country the Episcopal Church had been abolished in 1689, and many of its clergy “rabbled,” that is, outraged in their persons and property, and expelled from their livings. At the time when the test was extended to Ireland, there was no toleration in Scotland for the Episcopal clergy. They were “frequently disturbed and interrupted in their religious assemblies, and their ministers prosecuted for reading the English service in their congregations, and for administering the Sacraments according to the form and manner prescribed in the Liturgy of the Church of England”.⁴ To put an end to this persecution, the Imperial Parliament

¹ 6 Geo. I., c. 5.

² 19 & 20 Geo. III., c. 6.

³ Reid, ii., p. 466.

⁴ Words of the Act [10 Anne, c. 7, 1711] which granted toleration to the Episcopal Church in Scotland.

intervened, and, disregarding a remonstrance of the Scottish General Assembly, repealed an intolerant Act of the native legislature, and granted protection to the Episcopal Church.

The third component part of the population of Ireland consisted of the Roman Catholics. These are frequently spoken of as Celts, but this designation is far from being correct, as there was a very large infusion of English blood among them. Writing shortly before the restoration of Charles II., the author of *Cambrensis Eversus* speaks of this intermixture: "I adopt implicitly the opinion of Sir John Davis that, if the inhabitants of Ireland were now to be numbered man for man, those of English descent would be found to be more numerous than the old natives".¹ The condition of this class under the Penal Laws was lamentable. It is impossible to over-estimate the social and economical evils which resulted from these enactments. Their object was to reduce the Roman Catholics to political insignificance. To effect this, their whole community was disqualified for public or municipal office or employment, excluded from Parliament, deprived of the franchise, rendered incapable of purchasing land or accepting profitable leases, precluded from practising the two branches of the legal profession, and denied the perfect and undisturbed right of inheriting or bequeathing property. The effect of such laws on the peace, wealth and prosperity of the country was disastrous. The only thing which can be said for them is that the men who passed them had the best grounds for believing that they were necessary for their own preservation, and that they gave to Ireland the only century free from rebellion she has ever enjoyed. Whilst we deplore the effects of these laws, we must ever remember that they did not spring from a spirit of persecution. Grievous as was the condition of

¹ *Cambrensis Eversus*, edited by Kelly, iii., p. 145.

the Irish Roman Catholics, it was far superior to that of the professors of the reformed faith in Spain, or even in France, where the monarch was sworn at his coronation to exterminate the heretics in his dominions, and where the law absolutely forbade their worship, and bastardised their children; and this not from political fears but from religious motives.¹

A hasty compiler² tells us that the loyalty of the Roman Catholics to the House of Brunswick during the eighteenth century was "unshaken". Nothing can be farther from the truth than this assertion. What was there to make them loyal, depressed and impoverished as they were? They had sucked in with their mother's milk hatred to the English Government, the result of the combative and political religion inculcated by the Popes and their ministers. To this feeling, the Penal Laws now added the belief that they were suffering for their faith. An immense mass of Irish popular songs, written to airs and intended to be sung, survives from the commencement of the eighteenth century, and discloses their wishes and aspirations. This literature may be divided into two classes. One, the earlier, is Jacobite and intensely anti-English, filled with longings for the advent of the Stuarts, aided by the French or Spanish King;³ the other and later dates from about the death of the young Pretender in 1788, and is rather anti-English than Jacobite. It expresses exultation at every check, naval, military, or diplomatic given to the British Government, and

¹ At the accession of Louis XVI., Turgot endeavoured to have the clause which bound the king to exterminate heretics in his dominions removed from the coronation oath. His endeavour was successfully resisted by the French clergy (Tissot, *Life of Turgot*).

² Plowden.

³ Yet we are told that the conduct of Charles II., James II., and Anne "had together destroyed all enthusiasm for the Stuarts" (Lecky, ii., p. 393).

shows a very remarkable knowledge of contemporaneous affairs in Europe and America.¹ If the word "subject" means a citizen attached to the Government of a country, and prepared to defend it, the Roman Catholics were not subjects but enemies of the existing Constitution. If they were so, what reasonable man can wonder at the fact? They were men of like passions and feelings with others; as was natural, they hated those whom they considered their oppressors, and turned to those whom they regarded as friends. How could it be otherwise? The fatal influence, which had reduced them from their happy state under Charles I., was still at work, alienating their minds from the Government of Great Britain and their King. As late as 1768, when it was proposed to offer them an oath of allegiance, perfectly free from objection, with the understanding, that if they took it the Penal Laws would be repealed, the Papal Nuncio at Brussels, Gheline, at once wrote to the four Irish Archbishops, warning them against the oath as unlawful. The reasons he gave will astonish a Roman Catholic of the present day. He declared that the clause in the proposed oath expressing detestation of the doctrine "that faith is not to be kept with heretics, and that Princes deprived by the Pope might be deposed and murdered by their subjects" was absolutely abominable. "To your erudition," he writes, "it must be known that this doctrine, which is asserted in the oath to be detestable, is defended and maintained by most Catholic nations, and has been often followed in practice by the Apostolic See. Wherefore it can by no means be declared detestable and

¹ Specimens of these songs may be seen in Hardiman's *Irish Minstrelsy*, O'Daly's *Poets and Poetry of Munster*, and in Walsh's *Reliques of Irish Jacobite Poetry*. A friend of the author, who is perhaps better acquainted with Irish literature and the Irish peasantry than any other man living, has collected upwards of 400 foolscap pages of these songs.

abominable by any Catholic without incurring the danger of stating a proposition, rash, false, scandalous, and injurious to the Holy See.”¹ This letter was published in 1772 by De Burgo, titular Bishop of Ossory in the supplement to his *Hibernia Dominicana*, and was termed by him “a truly golden letter and worthy to be preserved in cedar.”²

The proportion of the Roman Catholics to the Protestants of all denominations at the commencement of the eighteenth century was about two to one. In 1672 Petty estimated that they were to the Protestants as eight to three, but after the defeat of James II., and the failure of their hopes, many of them left Ireland for ever. In 1731 a return was made to the Irish House of Lords, by which it appeared, that the Protestants were 700,451, and the Roman Catholics 1,309,768. This estimate was accepted as correct by Newenham,³ and by the Roman Catholic Bishop of Ossory, who was not likely to underrate the number of his co-religionists.⁴ This proportion soon disappeared, owing to the rapid increase in the numbers of the Roman Catholics. Their poverty and low standard of comfort, the absence of a check arising from hopes of bettering their condition, the easy cultivation and the nourishing qualities of the potato, and their early marriages, led to such a multiplication of their numbers,

¹ The Nuncio states distinctly that the Roman Catholics were to expect a repeal of the Penal Laws provided they took the oath.

² *Hibernia Dominicana*, Supplement, p. 927. Mr. Lecky calls this bishop “illustrious,” and his bulky volume a “great work”. If he had read carefully the great work, he would hardly have praised a book which asserts that at the first siege of Limerick “at least a thousand” wounded and otherwise infirm soldiers were burnt alive by the order of William III. (*Hib. Dom.*, p. 144). The Roman Catholic Bishops of Munster, assembled at Thurles in July, 1775, condemned this great book (Butler’s *English Catholics*, iii., p. 448).

³ *Inquiry into the Population of Ireland*, p. 93.

⁴ *Hibernia Dominicana*, p. 28.

that at the end of the century they were to the Protestants as four to one.

The government of this distracted country was in the hands of the Dublin Parliament, which consisted almost exclusively of members of the Established Church. The Presbyterians scarcely ever amounted to more than one thirtieth of that assembly. Archbishop King, writing in 1696, says there were hardly ten Dissenters in the House at that time. At the end of Anne's reign there were but four; and in 1716 only six.¹ The paucity of large land owners among them, and their exclusion from public employment, and from offices in the hundred and eighteen boroughs which studded the country, practically shut them out of Parliament, and that Assembly, up to 1780 and for some years later, must be considered as almost wholly Episcopalian.

The Dublin Parliament bore to that of England the same resemblance that a hot-house plant bears to the oak of the forest. The English Parliament was a spontaneous production of its native soil, and its position was the slow growth of ages. From a Council it had developed into a supreme assembly, dictating the policy of a great and independent empire. For centuries it had struggled against the kingly power, and in the struggle had gathered increase of strength. In the great civil war it struck down the most ancient monarchy in Europe. In 1688-9 it broke the line of hereditary succession, and bestowed the crown on a stranger. Rooted in the affections of the people which it represented, it was able to defend itself against all adversaries, foreign or domestic. Nothing of this kind could be said of the Parliament in Ireland. It was a feeble exotic, planted by the hand of England. Previous to the accession of James I. it was a mere provincial

¹ Killin, *Ecclesiastical History*, ii., p. 191.

assembly made up of a few persons from the counties and towns within the Pale or adjacent to it, and it was not until 1613 that it assumed the appearance of representing the whole country. At the time we are speaking of, it did not represent the nation, but a single class only. Without the protection of England, it could not have maintained itself twenty-four hours against its domestic foes, as was shown by the rebellions of 1641 and 1688. There was not a member of it who did not owe his position and all he possessed to the intervention of England, which had spent her blood and ten millions of her treasures to restore thankless exiles. Independent, in the true sense of that word, neither Ireland nor her Parliament could ever be. To speak of the independence of a small island which had not a vessel of war, and lay open to every invader, was absurd, but for a small community in such an island, surrounded by enemies against whom it was not able to defend itself, to claim independence was political insanity. The policy which the Episcopalian colony and its Parliament should have adopted was to administer the kingdom in concert with the protecting power, and to give to the mother country a permanent and commanding influence in their councils. This was not the view of the Dublin Parliament. From its first meeting after the Revolution we find it setting itself up as the equal of the English Parliament, thus illustrating the fable of the frog and the ox; quarrelling with the law under which it was convened; demanding a Habeas Corpus Act, though no complaints had ever been made of the non-issue by the judges of the common law Habeas Corpus; insisting on a Mutiny Act of its own, thus endangering the unity of regulation so necessary in an army, though it had refused one when offered to it;¹

¹ *Parliamentary History*, xxi., p. 1,305.

encroaching on the prerogative of the Crown and disputing its right—a right never questioned in England or Great Britain—to move troops where they were most wanted for the defence of the empire; keeping open the sore of the pension list, when it might have closed it for ever by a vote diminishing the supplies by an equal amount; refusing an Act imposing taxes on absentees, because it came from England; and squandering the resources of a poor country to prevent an increase in the King's hereditary revenue, and thus maintain its own consequences. These were the matters, and not the improvement of the country entrusted to their care, which chiefly occupied the time of the Irish Parliament from 1692 to 1782. "It may be observed," says Newenham, "that in eight years there passed in England no less than 1,124 Acts for bridges, roads, canals, harbours, draining, enclosing, paving, etc., which was ten times more than all the Acts for internal improvement, encouragement of industry, advancement of trade, or support of manufactures, that passed in Ireland from the Revolution to the establishment of Irish national independence, being a period of near one hundred years; and of these a great many were illusive, nugatory and inefficient."¹ During all these years, with the exception of short intervals of peace, England or Great Britain was engaged in wars for self-defence, or for the consolidation and extension of her empire, and therefore unable to give much attention to the small colony which was a thorn in her side. The Dublin Parliament took but little thought of the difficulties of the mother country, upon whose safety its own existence depended. Instead of offering affectionate sympathy and steady support, it was perpetually wrangling with her about matters which, it

¹ *A View of the National, Political, and Commercial Circumstances of Ireland*, p. 157.

considered, affected its dignity. Incapable of understanding its true position, and nourishing a diseased suspicion of Great Britain, which soon degenerated into positive antipathy, it attributed the effects of its own mismanagement to the shortcomings of the Imperial Government. This doctrine, preached with parliamentary eloquence, spread and inflamed the small and privileged community, which alone was represented. Finally, this Parliament, seizing the opportunity when Great Britain was fighting for her life against France, Spain, Holland and America, and, showing the point of the sword under the cloak of constitutional agitation, demanded an independence which differed from separation only by the frail tie of the union of the Executives. There were but two ways of dealing with this wayward and impracticable Assembly: to abolish it altogether or to obtain peace by securing subordination by the purchase of venal votes. Is it any wonder that Great Britain, burdened and harassed as she was, and fearing the addition of a domestic to her other difficulties, adopted the milder expedient?¹

The Irish school of writers, for the purpose of fixing all the evils which afflicted the country on the Government of Great Britain, represent this Parliament as being in complete subordination to English influence.² There never was a greater mistake. It was wilful and headstrong to the last degree. Within five years from its restoration it rejected an Act for the security of the King's person and government, to the great indignation of England, where the proceeding was regarded as disloyal, and endeavoured to nullify the Act under which it was convoked. For seventy

¹ "As these things are managed now, Government is forced to buy, at a great expense, the concurrence of an Irish Parliament to what is really necessary" (Arthur Young, ii., p. 250, ed. 1892).

² Lecky, ii., p. 223.

years it resisted all the efforts of the Imperial Government to obtain political equality for the Presbyterians. It compelled the King to withdraw his patent, and to give up an undoubted prerogative. Contrary to the wishes of the Government, it threw the whole of the immense bounty granted on the carriage of corn to Dublin by land, canal, or coastways, on the hereditary revenue ; and rejected a bill for the application of a surplus to the payment of the national debt, because the King's consent was mentioned in it. How anyone, however slightly acquainted with the proceedings of the Irish Parliament from 1692 to 1782 can say that it was subordinate to English influence, passes comprehension.

Before we proceed farther, it is necessary to understand thoroughly the law which regulated the meetings and constitution of the Dublin Parliament, and also the nature of the Irish revenue.

Poynings' law was, at the time of its enactment and long afterwards, one of the most popular ever passed in Ireland. It was made, as it declares, "at the request of the Commons of that land". Prior to its passing, the power of the Lords Lieutenants and their Deputies was exorbitant. They possessed the prerogative of giving their consent to laws without that of the King. They called parliaments at their pleasure, sometimes after an interval of only a few months, and oppressed the subject with repeated exactions. The enactments of former Governors were not considered of the least validity when a rival succeeded. What had been passed in one Parliament was rescinded in another, and the partiality or revenge of a ruling faction dictated laws or imposed taxes. Poynings' Act was an attempt of the Dublin Parliament to connect itself more closely with the English Government, and to prevent a Lieutenant or Deputy from passing laws from interested motives. The

treason of a Viceroy had often involved the subjects in severe and general punishment. Shortly before its enactment, Lambert Simnel had been crowned King at Dublin with the connivance of the Deputy, Kildare. A Parliament had been convened in the name and by the authority of the Pretender, in which laws were passed and taxes imposed. It was to protect the King on the one side and the Irish subject on the other, that this law was made. Far from being considered a restriction, it was looked upon as a safeguard, and no law was ever more popular.¹ Its object was to prevent the calling of a Parliament except on such occasions as the Lord Lieutenant and his Council should see some good cause that should be approved by the King. It provided that no Parliament should be convened until all laws, intended to be passed in it, should have been certified under the Great Seal of Ireland, and returned by the King with his license under the Great Seal of England. But doubts on the interpretation of the Act soon arose; among others, whether, when the Parliament was sitting, the Lords and Commons had the right of proposing other bills, or whether they were restrained to those certified and returned. These doubts were settled by an Act of Philip and Mary,² which provided that, as many causes and considerations for bills, not foreseen, might happen during the sitting of Parliament, the Chief Governor and his Council might certify these also. But it declared at the same time, that the King and Council of England should have power to alter the bills so transmitted, and that none but such as were returned under the great seal of England should be

¹ "Do we understand its meaning better than the people in whose days it was passed, or they who succeeded for an hundred years after? By them it was considered as a boon and a favour" (Flood, *Parl. Debates*, i., p. 152).

² 3 & 4 Philip and Mary, c. 4. "An Act declaring how Poinings acte shall be exponed and taken."

enacted. This settlement gave universal satisfaction. In the reign of Elizabeth, the English government frequently contended for a suspension of Poynings' law, but the Dublin Commons were alarmed at the proposals and successfully resisted them. They dreaded the power of a viceroy, supported by a Parliament composed of his own creatures, and considered a strict adherence to the law as the best security of the subject. In the evil days which intervened between the departure of Strafford and the Great Rebellion of 1641, the Dublin Parliament claimed and established the right of preparing what were called Heads of Bills, that is, suggestions to be presented to the Lord-Lieutenant and Council, for the purpose of being drawn up into Bills, if approved of, and transmitted to England. After the Revolution, the Commons attempted to act in contravention of this law, but being foiled, waived any further opposition to it for nearly eighty years. A more subtle attack on it was made during Lord Hertford's administration, 1765-67. Mr. Pery moved and carried a resolution for expunging from the *Commons' Journals* a plain acknowledgment of the law and practice as settled by Poynings' Act, which the Commons had made in the reign of James I., when the Irish Parliament first assumed its modern form. This ran as follows: "The House of Commons, acknowledging that the sole power and authority to transmit such Bills as are to be propounded in Parliament doth rest in the Lord-Deputy and Council, do only desire to be as remembrancers unto his Lordship and the rest touching the Acts, which they humbly offer as meet to be transmitted with such other Acts as his Lordship, etc., shall think fit to be propounded in the next Parliament." The Speaker, Ponsonby, seeing the tendency of this motion, with great difficulty got the whole proceeding cancelled, and the entry of it on the votes to be declared an error of the

clerk.¹ From what has been said it will appear that the mode of legislation in Ireland was the direct reverse of that in England. In England the propositions came from the Houses of Parliament, and the negative was in the Crown. In Ireland the propositions came from the Crown, and the negative was in the Houses.² We shall afterwards see how Poynings' law was modified on the establishment of Irish independence in 1782.

The revenue of Ireland was divided into three branches: the King's Hereditary revenue, the Additional duties, and the Appropriated duties.

The Hereditary revenue obtained its name from being vested in the King and his successors. It was made up of the ancient patrimony of the Crown, and of the duties and taxes granted to Charles II. and his successors by Parliament, in exchange for branches of the inherent revenue of the Crown that were found grievous to the subject, as Wardship, Feudal tenures etc., or in return for forfeitures which arose to the Crown. These latter were, at the time of the Restoration, very extensive, but owing to the contentions which resulted from the variety of interests, and to the distracted state of the property of the nation, the King, to obtain a permanent revenue, and as a foundation for the settlement of the country, agreed to resign all his forfeitures. In return for which, he received a confirmation and enlargement of the duties of tonnage and poundage which had been originally settled on Henry VII., and his

¹ "An Account of Ireland," by Sir George Macartney. This is to be found in his *Life*, by Barrow. Sir George, afterwards Lord Macartney, was Chief Secretary for Ireland in 1769.

² The learning on the subject of Poynings' law previous to 1782 is to be found in Sullivan's *Treatise on the Feudal Law*, etc., pp. 239-43; Howard's *Revenue of Ireland*, ii., pp. 233-36; and the Appendix to the second volume of *Leland*. Sullivan was a Fellow of Trinity College, Dublin, and Regius Professor of Common Law in the University. His treatise was published in 1772.

heirs in the year 1500, and of various others: the whole coming under the heads of customs, inwards and outwards, inland and imported excise, fines, seizures, licences for selling beer, ales, and strong waters, quit rents, and hearth money.¹

The Additional duties were granted by Parliament generally for two years certain, as further supplies, and in aid of the Hereditary revenue for the support of his Majesty's government. They were never granted until a statement of the disposition of the King's Hereditary revenue had been laid before the Parliament, and the Committee of Accounts, which was a committee of the whole House, had brought in their report on the national finances, as a direction for the discretion of the Commons in their grants.² On the accession of George II., in 1727, these Additional duties, which were equal to about a third of the Hereditary revenue, were granted to the same amount at which they continued for forty years.³

The Appropriated duties were imposed for certain particular purposes to which they were specially allocated by Parliament at the time of granting them; such as the loan, tillage, linen manufacture, Dundalk cambric manufactory, the Charter Schools and Lagan navigation.

The Hereditary revenue, if properly managed, would have been sufficient in times of peace to answer all the necessary charges of the State. During the whole reign of Charles II. it was more than sufficient for this purpose, and

¹ Clarendon, *Revenue and Finances of Ireland*, 1791, p. 7; Howard, *Revenue of Ireland*, i., p. 29.

² This system dates from 1692, when Additional duties were first granted. In this year a motion was carried that such a statement should be made, "that it may the better be known what supplies are necessary to be given to their Majesties" (*Commons' Journals*, ii., p. 16).

³ Macartney, *Account of Ireland*. "No new duties have been laid upon this kingdom since the year 1727, which is now nearly forty years ago" (Caldwell's *Debates*, ii., p. 537).

it was not until 1692 that any Additional duties were voted. It has been stated that this portion of the revenue was entirely beyond the control of the Dublin Parliament,¹ but it would be difficult to frame a more misleading statement. No object was kept more steadily in view by that Parliament than to diminish the resources of the Crown, in order to place it under the necessity of asking supplies. This they effected in two ways. They connived at abuses in the collection of the revenue, and pared down the hereditary revenue by placing on it grants of their own. Of the former there is no doubt, for this policy was recognised and praised by Grattan and Mr. Burgh in the debate of the 12th of August, 1785, Grattan even terming it one of the pillars of the Irish Constitution.² Of the latter, an example may be here given. In 1757, the Irish Parliament threw the whole of the enormous bounty for the carriage of corn to Dublin on the Hereditary revenue, a diminution which amounted in thirty-seven years to the sum of £1,917,770, or an average of more than £51,000 a year.³ The manner in which the Parliament accomplished this was very remarkable. They seized the revenue *in transitu* to the Treasury, and made the bounty payable by the Collector of the port of Dublin before he had accounted for his receipts.⁴ Though the Government opposed this imposition, and even offered to grant the bounty for a term of years, nothing would satisfy the Parliament but a perpetuity.⁵ Nor was this a single case; several other bounties were imposed in the same manner by Parliament, and also the whole expense of collecting and managing the revenue. These facts

¹ "Of the revenue of the country, the larger part was entirely beyond the control of Parliament" (Lecky, ii., p. 223).

² Woodfall, *Debates on the Commercial Proposition*, xxxvi., p. 54.

³ Newenham, *View of Ireland*, Appendix, No. 5.

⁴ 31 Geo. II., c. 3. Macartney's *Account of Ireland*.

⁵ Macartney's *Account of Ireland*.

furnish a striking commentary on the allegations that the Dublin Parliament was subordinate to English influence, and that the hereditary revenue was entirely beyond its control.

The collection of the Irish revenue during the whole of the eighteenth century was a public scandal. Newenham tells us that an inveterate and complicated system of fraud, collusion, and peculation always distinguished Ireland, and pervaded every department in it, and that no assembly authorised to raise money, from the House of Commons to the Vestry, was exempt from the practice of jobbery.¹ In this universal corruption, the revenue could not escape, and the cost of collecting it can only be explained by a systematised plan of spoliation. The gross produce of the revenue of Great Britain in 1778 was collected for $7\frac{1}{2}$ per cent.; that of Ireland was collected for £17 6s. 8d. per cent., or three shillings and sevenpence in the pound; the stamp duties of Great Britain in 1788 were collected for $3\frac{1}{2}$ per cent., those of Ireland cost about 18 per cent.; the land tax in England cost under 3 per cent, the hearth money in Ireland was collected at an expense of 16 per cent.² The duties arising from malt and home-made spirits had long formed one of the principal branches of the Irish revenue. Sir Richard Cox, a commissioner of the revenue who died before 1776, often declared that not more than a third of the excise, which might have been collected, was collected, and that this system had prevailed for many years.³ Howard, who published his work on the Irish revenue in 1776, says that, if the revenue officers had done their duty, not one half of the Additional taxes would have been

¹ *View of Ireland*, xxxiii., p. 226. "Even among the charitable institutions," he says, "the practice of jobbing has been conspicuous."

² Clarendon, *Revenue and Finances of Ireland*, pp. 147-8.

³ Howard, *Revenue of Ireland*, Preface.

required, and complains that of all civilised nations Ireland had the worst executed laws. So late as 1800, it appeared in evidence before a committee appointed to inquire into the scarcity of provisions, that public stills did more illicit work than private clandestine stills, that not more than one half of the malt duties, and not one half of the spirit duties was collected.¹ An intelligent writer in the same year estimated that, if attention were given to the collection of these duties, they might easily be increased by £200,000 a year; and that if smuggling were stopped, the nation would gain a million a year.² But the waste of the revenue did not satisfy the Dublin Parliament. We shall see, in a subsequent chapter, that they themselves inaugurated a system of jobbery, merely for the purpose of dissipating the national resources.

Adam Smith was of opinion that Ireland was bound to contribute towards the discharge of the debt of Great Britain, inasmuch as it had been contracted not only for the defence of Great Britain, but of all the different provinces of the empire. Ireland did not even contribute to the support of the navy, except on one occasion, when, in the short-lived gratitude for the grant of independence in 1782, she promised a sum of £100,000 for the raising of 20,000 additional sailors. Of this sum only a half was given, and 7,000 men raised.³ It was not until the war of 1756 that she contributed anything to the general defence of the empire. "This long and expensive war, which terminated in 1763," says Clarendon, "was the first in which Ireland was called upon for a contribution. Former

¹ Newenham, *View*, etc., p. 284.

² *Facts and Arguments Respecting Inland Navigation*. 1800, Dublin.

³ Of this sum, £53,600, odd shillings, was appropriated to raising men for the navy, and £46,399 was placed to the credit of the nation (*Irish Debates*, ii., p. 296. *Commons' Journals*, xi., p. 157). As to the number of men raised, see *Irish Debates*, ii., p. 93.

wars only required that Ireland should protect herself ; the war of 1756 demanded supplies for protecting the empire at large." ¹ When this contribution was asked, the revenue of the island was in an extraordinarily prosperous condition. In 1755, the accumulation in the Treasury was so great that the Committee of Accounts voted the amount of the surplus to be no less than £471,404. ² A marvellous surplus, when we remember that for nearly thirty years there had been no increase of taxation.

¹ *Revenue and Finances of Ireland*, p. 106. *Commercial Restrictions*, p. 46.

² *Ib.*, p. 102.

CHAPTER XII.

THE FIRST TWO PARLIAMENTS AFTER THE REVOLUTION.
THE ALLEGED SUPPRESSION OF THE IRISH WOOLLEN
MANUFACTURE.

THE first Parliament in Ireland after the Revolution met on the 5th of October, 1692. It had been summoned under and in the manner required by Poynings' law. Its earliest enactment,¹ following a former statute,² proclaimed "that this kingdom of Ireland is annexed and united to the Imperial Crown of England, and by the laws and statutes of this kingdom is declared to be justly and rightfully depending upon, and belonging, and for ever united to the same". This would appear to a reasonable man to be a full and explicit acknowledgment of the subordination of Ireland. But the members of the Dublin Parliament interpreted these words in a manner peculiar to themselves. They maintained that their kingdom was dependent on the King of England alone, but they would not own the right of the Imperial Parliament to bind Ireland by its laws, and wished to exclude the English Lords and Commons from all interference with it. They had just been rescued from exile and beggary by English forces and English money; they were unable to defend themselves either against a foreign enemy, or the

¹ 4 Will. and Mary, c. 1.

² 28 Henry VIII., c. 6. The words of this Irish Statute are remarkable. "For as much as this land of Ireland is the King's proper dominion of England, and united, knit, and belonging to the Imperial Crown of the said realm." (See also, 33 Hen. VIII., c. 1.)

Irish Roman Catholics among whom they lived; their personal safety, and everything they possessed, they owed to the protection of England; yet they claimed independence of the Legislature of that country, though they admitted their dependence on its King. They confessed that Ireland had been conquered by the sovereign of England, or, as they expressed it, that he had delivered the kingdom from the calamities of intestine war, and restored themselves to their laws and liberties, but they claimed to be dependent only on him; as if a King of England, at the head of an English army paid by English money, could conquer for himself and not for the nation of which he was the representative. Clamour cannot alter the nature of things. England had just conquered Ireland for the third time. It was hers by the law of nations. It did not lie in the mouths of her own children to dictate the manner or the terms on which she was to hold it. It was her right, and hers alone, to determine what powers of management she would entrust to an Assembly which did not represent a fourth of the inhabitants of the island. She might, with perfect justice, have given that management to any one of the three communities which dwelt in the country which she had purchased with her blood and treasures. The members of the small Episcopalian Parliament, for the Presbyterians in it were so few that they need not be mentioned, had contributed nothing to the recent conquest. At the first appearance of danger they had fled, and found a refuge in the mother country, where they had been fed upon her alms. "The only refuge we had to fly to," says the advocate of the claims of the Dublin Parliament, "was in England, where multitudes continued for many months destitute of all manner of relief but such as the charity of England afforded, which indeed was very munificent and never to be forgotten".¹ England was perfectly

¹ Molyneux, *Case of Ireland*, etc., p. 40, edit. 1782.

willing to continue the old order of things which had prevailed before the Revolution, but she would not allow her supremacy to be questioned by a small colony in a disaffected country. From time immemorial and the landing of Henry II., she had exercised her right of binding Ireland by her laws, and the right had never been disputed for upwards of 400 years save on one occasion, when Richard of York, who was attainted in England, pretended to be the Lieutenant of the kingdom and convened a Parliament,¹ which declared itself independent. The claim of the Dublin Parliament to be independent had no foundation either in custom or law, but it appears in all its absurdity when we remember that, at the time it was now advanced, the constitution of that Parliament and its limitation to Protestants exclusively was regulated by an English Act,² and that by Irish law the English Parliament possessed the right of bestowing the Crown of Ireland upon whom it pleased.³

After the Parliament had been opened, two Bills of Supply, which had been certified as usual by the Lord-Lieutenant and his Council to England, and from thence returned under the Great Seal, were laid before it. One of these was for an "additional excise," the other "for

¹ The Irish Act, 10 Henry VII., c. 3, thus speaks of Richard of York: "Richard, Duke of York, there being in rebellion and pretending himself lieutenant of that land."

² 3 Will. and Mary, c. 2. The Irish Parliament acted upon this statute, thus acknowledging the right of the English Parliament to bind Ireland.

³ The Irish statute, 33 Hen. VIII., c. 1, enacted that the kings of England should always be kings of Ireland. Consequently a king of England, whether by descent or otherwise, is immediately king of Ireland, and his title requires no sanction from an Irish statute. When the English Parliament disposed of the English crown, it likewise disposed of the Irish crown. When William III. was acknowledged as king of England, the Irish Parliament, by the Act of Recognition, admitted that the crown of Ireland followed the grant of that of England, and that his title did not require the sanction of an Irish Act.

granting to their Majesties certain duties for one year". While these bills were before the Commons, they passed the following resolutions: (1) That it was and is the undoubted right of the Commons of Ireland, in Parliament assembled, to prepare the ways and means of raising money; and (2) that it was and is the sole and undoubted right of the Commons to prepare heads of a bill for raising money.¹ Though these bills had originated exactly in the same way, the Commons passed the former and rejected the latter, and they ordered the reason of its being rejected, *viz.*, that it had not taken its rise in their House, to be entered in their *Journals*. In other words, of two money bills perfectly similar in every respect, they passed one, though it did not take its rise in their House, and rejected the other because it had not taken its rise there. The Lord-Lieutenant, Sidney, believing that the Commons had entrenched upon the prerogative of the Crown by affirming that it was their sole right to originate money bills, and by rejecting one on the ground that it had not taken its rise in their House, prorogued the Parliament, having first entered his protest against these invasions of the prerogative.

Immediately after the prorogation, Sidney laid the Irish Acts relating to the holding of Parliaments and the passing of laws in Ireland before the judges of that country for their consideration. They reported (1) that it is not the sole and undoubted right of the Commons in Ireland, in Parliament assembled, to prepare heads of bills for raising money, and (2) that the Chief Governor and Council may prepare bills for raising money, and may certify and transmit the same to their Majesties and the Council of England, to be returned under the

¹ *Commons' Journals*, ii., p. 28.

great seal of England, and afterwards sent to the Commons, although the heads of such bills had not their first rise in the House of Commons.¹ The twelve judges of England delivered the same opinion.² The Commons appear to have acquiesced, for the time at least, in the unanimous opinion of the Irish and English judges, for they did not again put forward this claim for nearly eighty years. In the next Parliament, which met in 1695, the Lord Deputy, Capel, in his speech acquainted the House that his Majesty had sent over a bill for an additional excise. This money bill was passed within a few days without objection, and was sent to the Lords for their concurrence, the Commons thus making a full and unanimous recognition of Poynings' law, which only three years before had been questioned in their House. The practice of passing transmitted money bills continued uniformly from 1695 to the viceroyalty of Lord Townshend in 1769. At the commencement of the new Parliaments in 1703, 1713, 1727 and 1761 a transmitted Bill of some sort was always immediately read to validate their existence under Poynings' law, and a transmitted money bill was invariably read and passed in a short time afterwards.³

In the years 1696-8 grave symptoms of disagreement between the English and Dublin Parliaments manifested themselves. In 1696, the English Parliament, in consequence of the plot to assassinate King William, passed an Act for the better security of the King's person and government.⁴ An association, encouraged by the Act, was formed, the members of which declared that they would mutually

¹ Sir George Macartney, *Account of Ireland*.

² *Ib.*

³ *Ib.* Yet Mr. Lecky informs us [iv., 387] "Money bills, that took their rise or were materially modified in England, were almost always rejected".

⁴ 7 & 8 Will. III., i. p. 27.

assist each other in the defence of the King's person and government against the late king, James II., and his adherents. The movement was essentially national, and the English people, who had been roused by the project of an invasion and of the concurrent assassination of William, rallied round the throne. For the purpose of uniting the Parliament of Ireland in the common impulse, a bill, similar to the English Act, was sent over to that country. It was twice rejected by the Irish Parliament, and that body refused to join in a proceeding which was then considered necessary for the security of the empire.

In 1698, a bill was transmitted from Ireland to England assuming to re-enact, with some alterations, an English Act relating to Ireland, and styling the crown of Ireland an Imperial crown.¹ This was an intimation from the Irish Parliament that it did not consider English Acts, referring to Ireland, to possess any authority there, unless re-enacted in that country. In the same year, William Molyneux, member for the University of Dublin, published a book asserting that Ireland was not bound by English laws, unless accepted and re-enacted in the Parliament of Ireland.² This challenge was really the revival of a doctrine which had been put forward by armed rebels in their Remonstrance at Trim during the rebellion of 1641.³ The

¹ Lord Clare's Speech, 10th Feb., 1800.

² *The Case of Ireland's being bound by Acts of Parliament made in England stated.*

³ "That whereas this your Majesty's Kingdom of Ireland in all successions of ages since the reign of King Henry the Second . . . had Parliaments of their own, composed of Lords and Commons, in the same manner and form, qualified with equal liberties, powers, privileges, and immunities with the Parliament of England, and only dependent of the King and Crown of England and Ireland; and for all that time no prevalent record or authentic precedent can be found that any statute made in England could or did bind this Kingdom before the same were here established by Parliament" (*History of the Confederation and War in Ireland*, ii., p. 238). This statement was absolutely groundless.

English Commons at once took up the matter. They were perfectly willing to allow to the Irish Parliament the internal legislation of their country, but they would not suffer any interference with the connection between the two kingdoms as it then stood. They presented an address to the King, pointing out the dangerous tendencies of the assertions in Molyneux's book¹ and of the proceedings of the Irish Parliament, and offering their concurrence and assistance in maintaining the dependence and subordination of Ireland to the Crown of England. To this address the King replied that he would take care that what was complained of should be prevented and redressed, as the Commons desired.²

The expression "the Imperial Crown of Ireland" deserves our attention, for it furnishes us with a key to the conduct of the Dublin Parliament during the whole of the eighteenth century. The members of this Parliament, which did not represent a fourth of the population of the island, and which was powerless to defend itself against the majority of that population, desired their Assembly to be considered independent and of equal rank with the Imperial Parliament. The folly of this ambition can only be understood if we consider the position in which Ireland then was. She did

¹ If this little book had not represented the wishes of the Dublin Parliament, it never would have been heard of. The arguments in it are based principally on two statements, both equally unfounded. In the face of the three conquests of Ireland by Elizabeth, Cromwell and William, Molyneux asserted that Ireland had never been conquered by England; and that Henry II. had granted Ireland to his son John, "as an absolute separate kingdom". The author makes a confession wholly inconsistent with his teaching. He tells us that when he and other exiles were in London, they applied to the English Parliament, and obtained from it, an Act binding Ireland, *viz.*, 1 Will. and Mary, sess. 2., c. 9. In 1782, an edition of this treatise was published in Dublin at the low price of sixpence halfpenny, but the passage expressing the author's desire for a Legislative Union was suppressed.

² *Parliamentary History*, v., p. 1,182.

not possess one of the qualities which go to make an independent nation. She was torn to pieces by religious and political dissensions; she was not recognised as a nation by any of the European powers; she could not commission an ambassador or envoy to any foreign country; she was bound by an English declaration of war or the conclusion of a peace; her ships sailed under the English flag, and her commerce and shores were protected by the English navy. Her Parliament, by her own laws, could not pass an Act without the assent of an English Council, and the Minister who advised the King to consent to an Irish statute, was impeachable for his conduct in the English Parliament. Five years before, the men who were now talking of the Imperial crown of Ireland, had declared in one of their own statutes, that that crown was "justly and rightfully depending upon" the crown of England. They knew that their courts of law had been from time beyond the memory of man subject to the decisions of an English Court, which was itself subordinate to the English Parliament; and that their own position as members of the Dublin Legislature depended upon an English Act. If England had opened, as in her discretion she had closed, the Irish Parliament to Roman Catholics, the Protestant members would soon have recognised their helpless condition, and would have preached subordination far more eagerly than they now sought to free themselves from English control.

The indignation of the English Commons, their address to the King, and his gracious reception of it, alarmed for a short time the Protestant gentry of Ireland. To encroach silently, to amplify their powers and jurisdiction inch by inch, is a common characteristic of all subordinate Parliaments, but to alienate or quarrel with their only protector was a very different thing. When a new Parliament met in 1703, the Commons hastened to express their repentance.

They voted an address to the Queen, protesting against the suspicion that they wished to make Ireland independent, and declaring their entire conviction that their welfare depended on the maintenance of the connection with England. But this humble spirit soon passed away, and they requested that their country should be treated as an independent kingdom. In 1702, commissioners had been appointed by the Parliaments of England and Scotland to negotiate a union between the two countries. Scotland was in a very different position from that which Ireland occupied. Scotland was an independent kingdom, with a crown of her own, and laws different from those of England. Ireland was not an independent kingdom; she was bound by English laws, her crown was depending on and for ever annexed to that of England; and the English Parliament had just rebuked her Parliament for venturing to claim legislative independence. In spite of the subordinate position of Ireland, her Lords and Commons in October, 1703, addressed the Queen, praying her to concede a union with England,¹ thus implying that their country was in the same position as Scotland.

In 1707, the Irish Lords and Commons returned to this matter,² but their advances were coldly received by the Queen and her ministers, who were wise enough to understand what the Irish proposals really meant, namely—that their country should be treated as an equal, as independent Scotland was treated.

We are now come to a transaction which has been so generally misapprehended, and made the subject of so much declamation, that it requires courage to approach it; namely, the compact between England and Ireland, by which the latter

¹ For the Commons' Address, see *Froude*, i., pp. 334-336. For the Resolution of the Lords, see *Lords' Journals*, ii., p. 29.

² *Commons' Journals*, 9th July, 1707. *Lords' Journals*, ii., p. 161.

country agreed to give up the exportation of her manufactured wool in return for the encouragement of her linen trade. Successive writers, without examination, have taken as their sole authority a treatise written by an Irish politician, who knew but little of the wool or woollen trade of Ireland, or, if he did know anything of it, carefully concealed his knowledge.¹ That such a compact was made between England and Ireland in 1698 is admitted by this writer, and his statement is confirmed by the author of *Memoirs of Wool*, by Foster, by Lord North, by Newenham, and by Arthur Young. The Irish Commons themselves regarded it as such, for in an address in 1703 they referred to it. In that year they petitioned the Queen that Irish linen might be admitted into the plantations, "that your Majesty's subjects of this kingdom may have liberty of exporting all manner of linen cloth, being the manufacture of this kingdom, directly from hence to your Majesty's plantations; and that they may receive such further encouragement as has been assured to your subjects of this kingdom, if they should turn their industry to the improvement of the linen manufacture".² To this compact the poverty of Ireland, and her inability to advance, have been attributed. Fortunately we have a book³ of the highest authority which gives us full details of the Irish woollen manufacture up to 1747, and which is one of the very few economic works praised by Adam Smith. The subsequent account of this trade may be gathered from Newenham, Lord Sheffield, and the debates in the Irish Parliament.

¹ *Commercial Restraints of Ireland*, by John Hely Hutchinson, 1779. The quotations are from the Dublin edition, 1882.

² *Commons' Journals*, ii., p. 384. In consequence of this petition Irish white and brown linens were admitted to all English possessions in Asia, Africa and America by the English Act 3 & 4 Anne, c. 8. And by the same Act the importation of Scotch linen into Ireland was prohibited.

³ *Memoirs of Wool*, by the Rev. Joseph Smith, London, 1747.

From a careful consideration of these authorities, it will appear that, though the restrictions consequent on this compact may at first have acted as a check, yet that the woollen manufacture recovered itself in a very short time, and increased so much that every pound of wool grown in Ireland found a ready and high market long before Hutchinson wrote, while her linen manufacture, owing to English encouragement, reached as early as 1729 "a great degree of perfection."¹

The export of woollen manufacture from Ireland, though never very considerable, was of very ancient date. In 1687 it reached its highest development, and the exports of it in that year amounted in value to £70,521 14s.² This manufacture was totally destroyed by the vast slaughter of sheep effected by the Irish in that and the following year, and by the flight of the manufacturers. After the Revolution, it was again taken up by a few French, Dutch and Irish Protestants, in whose hands the manufacture entirely rested. Owing to the state of desolation in which Ireland then was,³ the growth of the manufacture was necessarily slow, and in 1697, the year before the compact was made, the total value exported amounted only to the sum of £23,614 9s. 6d., namely in friezes and stockings £14,625 12s., and in old and new draperies £8,988 17s. 6d.⁴ In 1698, while the Irish manufacture was still in its infancy, the English Lords and Commons, whether from trade jealousy, or, as Arthur Dobbs puts it, from a desire to recoup the charges England

¹ Dobbs, *Observations on the Trade of Ireland*, 1729, Dublin; Thom's *Tracts and Treatises*, ii., p. 286.

² Smith, ii., p. 34.

³ "The many great oppressions which the people suffered during the revolution had occasioned almost *the utter desolation* of the country" (Hutchinson, p. 13).

⁴ Smith, ii., 34, 244. This estimate is quoted by Hutchinson without a word of exception, p. 59, *note*.

had incurred "in reducing the natives of Ireland and restoring British interests,"¹ petitioned the King to discourage the woollen manufacture in Ireland, and at the same time undertook in return to give ample encouragement to the linen trade. In the September of the same year the Irish Parliament met, and the Lords Justices told the Houses, that a bill for the encouragement of the linen and hempen manufacture had been sent over, and recommended that branch as more advantageous than that of wool, "which being the settled staple trade of England, from which all foreign markets are supplied, can never be encouraged here for that purpose, whereas the linen and hempen manufacture will not only be encouraged as consistent with the trade of England, but will render the trade of this kingdom both useful and necessary to England".² The Commons at once closed with the offer, and assured the Justices that they would heartily endeavour to establish the linen and hempen manufacture in Ireland, and hoped to find such a temperament in respect of the woollen trade, that the same might not be injurious to England.³ In the same session they passed an Act imposing the prohibitory duty of 20 per cent. on old drapery, friezes excepted, and 10 per cent. on new drapery, exported from Ireland.⁴ And in the following year, the English Parliament passed a measure restraining the exportation of woollen manufactures from Ireland to any country save England, including friezes, to prevent the exportation of new drapery under that name.⁵ We must keep in mind that the home manufacture in Ireland was not affected in

¹ *Essay upon the Trade of Ireland*, 1729; Thom's *Tracts and Treatises*, ii., p. 387.

² *Commons' Journals*, ii., p. 241.

³ *Ib.*, ii., p. 243.

⁴ 10 Will. III., c. 5.

⁵ 10 & 11 Will. III., c. 10 [English].

any way, exportation only being in the view of both Parliaments.

But the Irish had no intention of abiding by their side of the compact. Their raw wool had long been clandestinely exported, and to their raw they now added their manufactured wool, and in consequence their manufacture increased enormously. In 1743 their manufacture of fine cloth from Spanish wool had increased more than twenty fold.¹ In 1745, the export of wool manufactured in Ireland, taking Arthur Dobbs's estimate of the price of wool worked up, had risen to the sum of £175,000, or more than seven times the value exported in 1697.² That the Irish Parliament was well aware of this clandestine exportation, and winked at it, is shown by the proceedings in the session of 1739-40. An English Act had just been passed,³ taking off the duties on woollen and bay yarn exported from Ireland to England, and it was hoped that in return a measure to prevent the smuggling of wool from Ireland to foreign parts would pass in the Irish Parliament. Accordingly, a motion was made in that body on behalf of the Government, that a permit, such as was used in the excise, would be conducive to prevent the smuggling of wool. The motion was defeated. During the debate it was stated from a computation which had been carefully made, and was acquiesced in by all parties, that 1,000,000 stones of wool were grown in Ireland; of which 700,000 were used at home; 150,000 exported to England in wool and yarn; and 50,000 in manufactured wool, and 100,000 in raw wool were exported clandestinely.⁴ It would thus appear that the whole of the wool grown in Ireland found a market as early as 1740, that is almost forty years before Hutchinson wrote, and that, as the author of the *Memoirs of Wool* says,

¹ *Memoirs of Wool*, ii., p. 34.

² *Ib.*

³ 12 Geo. II., c. 21.

⁴ *Memoirs of Wool*, ii., p. 350.

the intended restraint on the woollen manufacture of Ireland and its exportation abroad was "in reality no check at all, or at the most a very slender one".¹

From 1740 the Irish home manufacture increased very greatly. The domestic consumption assumed such proportions as to require all the wool grown in the country, and to forbid either exportation or smuggling. The price of wool rose steadily in Ireland until it was far higher than in England. Arthur Young tells us that from 1766 to 1779 wool was 47 per cent. dearer in Ireland than in England.² The smuggling of wool died away. "No wool smuggled," said Young in 1776, "not even from Kerry, not a sloop's cargo in twenty years, the price too high."³ "Smuggling of wool," wrote Lord Sheffield in 1785, "has for many years ceased. . . . The home market is, and has been so high for a considerable time that no foreign market can afford to pay the additional expense of smuggling."⁴ Wool was no longer sent to England to any considerable amount. Hutchinson himself informs us that the quantity exported to England had fallen from 377,520 stone to 1,665 stone in 1778.⁵ These facts show conclusively that in 1779 Ireland was in possession of a great home woollen trade, which, if we remember that she raised 1,000,000 stone, and that Arthur Dobbs valued a stone of manufactured, without dyeing, at £3 10s.,⁶ must have amounted at least to the sum of £3,000,000 a year. Six years after Hutchinson had written his treatise, Lord Sheffield was

¹ *Memoirs of Wool*, ii., p. 38.

² Vol. ii., 106; edit. 1892. Hutchinson makes a similar statement, p. 73.

³ Vol. i., p. 335.

⁴ *Observations on the Manufactures and Trade of Ireland*, pp. 148, 157.

⁵ P. 78.

⁶ "For a stone of wool manufactured, without dyeing, is at least worth £3 10s. (*Essay on the Trade of Ireland*, p. 377)."

struck by the universal use of woollen clothing in Ireland. "The amount of the consumption of woollens in Ireland we cannot know, but it is very great; and perhaps no country whatever, in proportion to its number of inhabitants, consumes so much. The lower ranks are covered with the clumsiest woollen drapery, and, although the material may not be fine, there is abundance of it."¹ Adam Smith says that a home trade is the most valuable of all, inasmuch as it replaces two capitals, but Hutchinson and the Irish Parliament were not of this opinion. He, with the majority of that body, believed that a large export was the panacea for Ireland, although he mentions a fact which shows that an exportation of woollen manufactures was impossible. "We have the misfortune of daily experience," he says, "to convince us that the English, notwithstanding the supposed advantages of the Irish in this trade, undersell them at their own markets in every branch of the woollen manufacture."² The truth was that Ireland not only consumed the whole of her own rough manufacture, but required a large importation of finer quality from England for the wealthier classes³

What took place after all the restrictions on Irish trade had been removed confirms what has been said. Ireland found it impracticable to increase her exports of woollen manufacture. At first she made an effort to send large quantities to foreign markets, though, to do so, she had to increase her imports.⁴ For the years 1781, 1782, and 1783, her exports rose, but speedily declined. "So great," says Newenham, "was the increase of the home demand that the

¹ *Observations*, etc., p. 186.

² P. 71.

³ "The greater part of the wool produced in Ireland is consumed by the lower orders of the country people, who, generally speaking, get it manufactured at home for their own use" (Newenham, *Population of Ireland*, p. 205).

⁴ Lord Sheffield, p. 13.

export soon declined most rapidly.”¹ Mr. Foster, the Speaker of the Commons, and formerly Chancellor of the Exchequer, stated in his laboured attack on the Union proposals of 1799 that the export of woollen cloth from Ireland in the preceding year amounted only to the value of £12,500, and that in the same year she imported British woollens to the value of £580,723, although “she exported no unmanufactured wool, and worked up all she had”.²

The compact of 1698 was the best bargain Ireland ever made. She gave up a trifling exportation of woollens, amounting to £23,000 a year, for an encouragement which rendered her insignificant linen manufacture a great trade. Irish linen was admitted into England free of duty, while a tax of 25 per cent. was imposed on foreign linen. In addition, a bounty was given on the exportation of Irish linen from England,³ and all the articles necessary for the Irish manufacture were sent to Ireland duty free. In consequence of these favours, the export of linen cloth from Ireland—not to speak of the home consumption—rose from 759,020 yards in 1705⁴ to 25,000,000 yards in 1779, and 39,000,000 in 1797.⁵ This protection cost Great Britain an immense sum annually. In 1799, Pitt put the annual loss to the British revenue at between £700,000 and £800,000 in

¹ Newenham, *Population*, etc., p. 206.

² Speech of the Speaker, 11th April, 1799.

³ The effect of this English bounty on Irish linen is described by Lord North: “The number of yards manufactured for foreign consumption, or exported in 1751, was twelve millions; the next year, the British bounty was discontinued, and it fell to ten millions; in 1756, it was no higher than eleven millions; and in the next year, when the bounties were again granted, the number of yards entered for exportation suddenly rose to fifteen millions, and so continued to increase for several years so high . . . as to twenty-five millions of yards” (*Parliamentary History*, xx., 1275).

⁴ *Commercial Restrictions*, Appendix, p. 3.

⁵ *Political etc.*, *State of Ireland*, by Dr. Clarke. At this time the exportation to all foreign countries amounted to about four millions.

foregoing the duty which might have been levied on all linens, or, on the other hand, as sacrificing at least a million in the higher price paid by the people of Great Britain, leaving entirely out of consideration the damage done to the British woollen trade by the high duties laid on it by foreign Governments in return for those placed on their linen. Notwithstanding these advantages, the Irish were never able to exclude foreign linen from the British market,¹ a sure proof that if there had been no bounties and duties in their favour, there would have been no market for Irish linens in Great Britain. And as protection was then, as now, the policy of foreign Governments, it would have been impossible to find a market abroad for Irish linens.

For many years after 1698, the Irish considered the encouragement of their linen trade a full compensation for the loss of their small woollen exportation. Arthur Dobbs, who wrote in 1729, says: "In my opinion they have given us a full equivalent for it in the manufacture of linen and hemp, in which they have so much encouraged us, that I hope they will in a little time be fully supplied by us".² And Madden in 1738 declared that Great Britain had made "full amends" for the loss.³ But as the folly and dishonesty of her Parliament plunged Ireland deeper and deeper in distress and poverty, as will be seen later on, the feeling changed, and her condition was attributed to the restrictions on her woollen exportation.

An Irish Parliamentary return throws light upon the amount of Irish woollens sold in a single warehouse in Dublin. A ready money establishment was opened in

¹ Pitt said, in 1799, that Great Britain imported foreign linen to an amount equal to a seventh part of all that Ireland was able to send (Speech, 31st January, 1799).

² *Essay Upon the Trade of Ireland*, p. 388.

³ *Reflections and Resolutions for the Gentlemen of Ireland*, p. 157.

that city under the auspices of the Dublin Society on the 29th of May, 1773. The first year, the sales amounted to £4,039 6s. 2½d.; in the second, to £17,657 7s. 7½d.; in the third to £18,870 0s. 5d.; in the fourth to £21,850 19s. 1½d.; and in the year Hutchinson wrote his book, ignoring the existence of a flourishing woollen manufacture in Ireland, to £25,144 3s. 5½d.¹ It must be remembered that all the sales in the shop were for ready money, and sales for ready money represent but a small portion of the transactions in any trade. "Fortunately for the kingdom," says Arthur Young, who objected to this interference with the natural course of trade, "it is at Dublin as in other cities, the ready money trade is by no means equal to that of credit; consequently the pernicious tendency of this measure cannot fully be seen. The drapers and mercers do, and will support their trade."²

All through his treatise Hutchinson studiously confuses exportation and the home manufacture, and speaks as if there were restrictions on both. Of the latter, which was perfectly free, he makes no mention, though there was legislative provision for its protection and encouragement;³ nor of its great increase subsequently to 1698. He was not always so reticent about the domestic manufacture. It is interesting to compare his opinions when he was Prime Sergeant, with those expressed when he thought Great Britain was declining, and wished to be reconciled to the Opposition. "There was not a kingdom in the world that had less reason to complain of public taxes, and its disadvantages with respect to trade arose rather from the extravagance and folly of its inhabitants than from any restraints that were imposed by Government. No check

¹ *Commons' Journals*, x., Appendix, p. 443.

² *Tour in Ireland*, ii., pp. 132-4.

³ 7 Geo. II., cc. 9 and 14; 31 Geo. II., c. 10.

could be pretended except upon the manufacture of woollens and silk; and this would be attended with no national disadvantage, if the natives would contribute to the home consumption of these manufactures by wearing them themselves, which a senseless vanity prevented them from doing.”¹

It is needless to say that the anti-English writers accept implicitly the statements of Hutchinson. Mr. Lecky informs us that “the English utterly suppressed the existing woollen manufacture in Ireland, in order to reserve that industry entirely to themselves”.² Thus is history, without any research into authorities, compiled from a political pamphlet, and a manufacture which was actually greater and more beneficial than that of linen, is represented as “utterly suppressed.”³

¹ Caldwell's *Parliamentary Debates*, p. 392.

² Vol. ii., p. 212.

³ In November, 1783, the woollen manufacturers of the town and neighbourhood of Carrick-on-Suir presented a petition to the Irish Commons, stating that they and their ancestors had carried on this business successfully for more than a century; that the trade had been begun by settlers about the time of the Restoration, and that they made considerable quantities of fine goods which were consumed by the nobility, gentry and better sort of people; “by which means these settlers and their descendants, for many years after, made good properties, improved the town and neighbourhood, and gave subsistence to great numbers of industrious poor”. But that for “several years past” the woollen trade had declined (*Commons' Journals*, xi., p. 108). Several of the woollen manufacturers, who deposed before the Committee appointed in 1784 to examine into the state of Irish manufactures, spoke of the former prosperity of their trade. One of them stated that in 1784 the number of looms in Dublin was only a third of those employed in 1773 or 1774. Another said that in 1775 there were 370 looms in Dublin, and in 1784 “about 135, but not one-half employed, the rest totally unemployed” (*Commons' Journals*, xi., Appendix, pp. 142, 143).

CHAPTER XIII.

THE APPELLATE JURISDICTION CLAIMED BY THE IRISH LORDS. THE SACRIFICE OF TILLAGE TO PASTURE.

IN 1719, the British Parliament passed a short Act¹ declaring that the King, with assent of the Lords and Commons of Great Britain, had power to make laws to bind the people of Ireland; and that the House of Lords of that country had not any jurisdiction to judge of, affirm or reverse any judgment, sentence or decree given or made in any Court of that kingdom. The former of these propositions was a truth the Irish Parliament was too prone to forget; the latter has been represented as a case of might against right. But before we accept this opinion, it is necessary to enquire whether the Irish Lords had any title whatever to act as a final court of appeal, or whether this claim was merely a portion of the assumption of the Irish Parliament to be in all respects the equal of the British.

The immediate cause of this statute was the action of the Irish Lords in a suit between Wester Sherlock and Maurice Annesley in the Irish Exchequer on its equity side. Annesley was successful in the court below; whereupon Sherlock appealed to the House of Lords, which reversed the decision of the Exchequer. From this decree Annesley appealed to the Lords of Great Britain, and urged that the Irish Lords had no jurisdiction. Sherlock,

¹ 6 Geo. I., c. 5.

instead of appearing to this appeal, petitioned the Irish House, and prayed them to support their own decision, while the Lords of Great Britain, treating the proceedings before the Irish Lords as *coram non judice*, directed the Barons of the Irish Exchequer to replace Annesley in possession of the property from which he had been ousted. Accordingly the Barons issued an injunction to the sheriff to restore possession to Annesley. The sheriff refused to obey the injunction, and was attached for contempt of court. This officer then brought his case before the Irish Lords, who at once passed a resolution that the Chief Baron¹ and his associates "were betrayers of his Majesty's prerogative and the undoubted rights of this House, and of the rights and liberties of the subjects of this kingdom,"² and ordered them to be taken into the custody of the Black Rod. A few days after these proceedings, the Irish Lords drew up a long address to the King, in which they claimed the same authority and powers of judicature in Ireland as were exercised by the British House of Lords in the United Kingdom.³ This was not the first case in which the English Lords had decided that the Irish Lords had no appellate jurisdiction. In 1698, before the Scotch Union, it was adjudged that an appeal of the Bishop of Derry to the Irish Lords from a decree in Chancery was void, and that all the proceedings thereon were of no effect.⁴ In their address to the King the Irish Lords assert that

¹ This Chief Baron, Jeffry Gilbert, was the great lawyer whose writings are known to every student of law. He was transferred to the Exchequer in England, in which he afterwards became Chief Baron.

² *Lords' Journals*, ii., p. 627.

³ The Address is in the *Lords' Journals*, ii., pp. 655-60.

⁴ This decision and the arguments of Molyneux against it were attached to the edition of his *Case of Ireland* which was published in 1782. His arguments against this decision are quite as futile as those contained in his treatise on the independence of the Irish Parliament.

there had been two other cases in 1699 of appeal from their House to the English Parliament, and that, in both, the proceedings before them were held to be *coram non judice*.¹ Notwithstanding these cases, the Irish Lords continued to receive appeals till the statute above mentioned was passed.

We are so accustomed to connect the final judicature with a House of Lords, that at first sight the denial of this claim of the Irish Lords appears to be hard. But it may be asked, when or how was that House made a Court of Appeal. The English Lords were, from the Conquest, a part of the Aula Regia, which possessed supreme jurisdiction, both original and appellate, over the whole kingdom. When certain branches of the original jurisdiction of this Court were transferred to Committees, which were afterwards known as the Courts of Common Law, its appellate jurisdiction remained, and was exercised by the Lords, assisted by the great officers of State. As Chancery grew up, appeals from it also were taken to the same authority, to prevent the existence of two Supreme Courts of Appeal on kindred matters. But nothing of this kind had ever existed in Ireland. For upwards of four hundred years after the landing of Henry II., no such claim had ever been made by the Irish House of Lords.² It was not until 1641,

¹ *Lords' Journals*, ii., p. 656.

² Mr. Lecky makes two remarks on this subject for which there is absolutely no foundation. He says: "There appears to be little or no doubt that originally the Irish House of Lords possessed exactly the same final right of jurisdiction in Ireland as the English House of Lords possessed in England," and "The Irish House in the first place took the opinions of the judges, who pronounced that it possessed the final right of jurisdiction for Ireland". The Irish House did not take the opinion of the judges, but, on the contrary, avoided doing so. It was proposed in that House that the opinion of the judges should be taken on the question "whether, by the laws of the land, an appeal lies from a decree pronounced by the Court of Exchequer to the king in Parliament in Great Britain".

when, in the interval between the departure of Strafford and the breaking out of the Great Rebellion, the Irish Parliament was acting as a revolutionary tribunal, that any such claim was advanced. In that year, both Houses united in a declaration that "the Court of Parliament is the Supreme judicatory in this realm". When they were asked by the King in Council to furnish him with some precedents justifying their claim, they stated that they were unable to do so, owing to the destruction of records in the perpetual wars of the kingdom. If this claim had been allowed either in 1641 or 1719, endless confusion of authorities must have ensued. The Irish Lords in their address to the King in this latter year admitted that from time immemorial a writ of error from the King's Bench, Ireland, had lain, and did then lie, to the King's Bench, England. This latter Court was subordinate to the High Court of the British Parliament, and every decision in it might be brought into that Parliament, and there be either confirmed or reversed. In other words, an ordinary Court in England, which was subject to the jurisdiction of the British House of Lords, had power to review and reverse every common law case determined in Ireland. "If," says an Irish Judge, "a judgment be given in an inferior Court, which by writ of error is affirmed in the Common Pleas, which judgment, by another writ of error, is again examined and affirmed in the Kings Bench, yet upon a writ of error out of England, the King's Bench there, may reverse the judgment given in the King's Bench in Ireland, and command execution to be done according to their judgment, contrary to all the former judgments in Ireland; and that judgment also may, by writ of error, be brought into Parliament in England, and there

The proposal was rejected (*Lords' Journals*, ii., p. 559). It is impossible to read Mr. Lecky's volumes without being reminded of the question: Is history a fairy tale?

be examined.”¹ There being already established a Supreme Court of Appeal for all the common law cases occurring in Ireland, it would have been dangerous to allow a separate final court for Equity cases. Law and Equity are so intermingled that the existence of two Appellate Courts would have led not only to judicial but to international disagreements. A Court, claiming as the Irish Lords did, equality of authority and judicature with the British House of Lords, would very soon have embroiled the two nations. Questions touching, even remotely, on the Irish Constitution, or the connection with Great Britain, would certainly have been decided differently in the two courts. It was principally to prevent such quarrels, that England, and afterwards Great Britain, refused to recognise the Irish House of Lords as a Court of Appeal, and kept in their own hands the nomination of Irish Judges and the power of removing them.

“The land,” says Adam Smith, “constitutes by far the greatest, the most important, and the most durable part of the wealth of every extensive country.”² And in another place the same author declares that, of all the ways in which capital can be employed, agriculture is by far the most advantageous to society, inasmuch as it not only puts into motion the greatest quantity of productive labour, but adds to the real wealth and revenue of the people.³ Unfortunately for Ireland, her agriculture was sacrificed to pasture, and was not only not encouraged, but discouraged and circumscribed, both by the owners of land and by the action of the House of Commons. Divided as the country was by religious dissension, nothing would have been more conducive to its peace and prosperity than kindly relations between the landlords and their tenants. Common interests and friendly intercourse would have mitigated, if not

¹ Mr. Justice Mayart. Harris, *Hibernica*.

² Book 1, c. 11, pt. 3.

³ *Ib.*, c. 5.

destroyed, the antagonism created by a difference of faith. Some interest in their holdings, some approach to fixity of tenure, such as afterwards grew up in the North under the name of "tenant right,"¹ or such a moral tie as existed between landlords and tenants in England, would have satisfied the small farmers of the country and brought with it hopes of bettering their conditions. But these truths were hid from the landlords of Ireland, and especially from those in Leinster and Munster. Instead of fulfilling the duties connected with their position, they advertised their lands to be let to the highest bidder, and, in their desire to lay down their estates in grass and enlarge their grazing lands, they bound their tenants not to break up the soil, enclosed the commons on which the peasantry fed their cows, and turned whole villages adrift,² careless whether their inhabitants found employment elsewhere or begged their bread.³ If the aristocracy of Ireland could have lifted their eyes and looked beyond what they considered their immediate interest, they would have learned that tillage was more profitable than pasture, that a settled and contented peasantry was their own best security, and that a progressive and thriving community is always tranquil. There were peculiar circumstances connected with the condition of Ireland, which should have taught them that a special and even tender regard was due from them to the people whom they governed. There was no legal provision for the poor. The vast majority of their tenantry were groaning under the Penal Laws, which limited their industry by forbidding them to take profitable leases. They knew that that

¹ It is remarkable that there is no mention of Tenant Right in Arthur Young. An inquiry, how and when it came into existence, would be interesting and instructive.

² Arthur Dobbs, *An Essay upon the Trade of Ireland*, p. 411.

³ The same author estimates that, in 1729, there were 34,425 strolling beggars in the kingdom (*Ib.*, p. 444).

tenantry was hostile to themselves and the constitution of their country. These were circumstances which ought to have constrained them to conciliate the peasantry, to avoid all appearance of harsh dealing, to mitigate their sufferings, and to encourage their material prosperity in order to compensate them for restrictions imposed by political fears.

During the eighteenth century the richest lands of Leinster and Munster presented an appearance, which, if it could be reproduced at the present time, would astonish the beholder. They were divided into enormous pasture farms, on which for miles neither a house nor a man was visible. Wherever the ground was fit for pasture, tillage ceased, and not a house, not a hedge, not a ditch was to be seen; the country was "abdicated by the human species and peopled with sheep".¹ The squire's country seat, the rich farmhouse, or even the warm cottage was looked for, but looked for in vain. The only visible habitation was that of the herdsman, "whose squalid hovel served but to cast a deeper shade upon the gloom of depopulation".² A man might travel ten or fifteen miles without seeing a house or a cornfield.³ The most fertile portions of Leinster, and more particularly of Munster, were occupied by the cattle of the graziers, who, as Campbell says, thrived on depopulation, while the peasants, who were chiefly Roman Catholics, were driven into bogs or mountainous districts, where they eked out a subsistence by growing potatoes, or keeping small and starving cattle on their miserable patches. Newenham estimates that there was not more

¹ Campbell, *Philosophical Survey of the South of Ireland*, 1778, p. 117.

² *Ib.*, p. 128.

³ Archbishop Boulter in 1727 mentions ten or fifteen miles (*Letters*, i., p. 179). In 1778 Campbell says "one may ride miles over the most fertile land without seeing an acre of ploughed ground except where potatoes had been a year or two before" (*Phil. Survey*, p. 151).

than the one-fortieth part of Ireland under tillage in 1730,¹ and that the number of cultivated acres had decreased by 100,000 from the time of Sir William Petty, though the population had greatly increased. To remedy, or rather to appear to remedy, this state of things, the Irish Parliament passed what Newenham calls one of their illusory Acts. In 1727 a statute,² after reciting "that several persons kept great quantities of land under stock, to the great discouragement of tillage and manifest prejudice to the poor of this kingdom," enacted that persons occupying 100 acres of arable or pasture land (bog, mountains, rocky, craggy or fenny land, woodland, meadows, and parks excepted) should till at least five acres. This Act was not intended to be executed, and it soon became "as dead as the letters of it, for all the rich were delinquents, and none but the impotent poor were left to enforce the performance of it".³ Even if this Act had been meant to be efficacious, the Irish House of Commons, eight years later, took a step which entirely nullified its provisions.

The Commons cared nothing for agriculture; what they desired was an extension of pasture. To effect this, they resolved to give it a premium by making it tithe-free. The tithe of agistment, that is, the tithe of pasturage for dry and barren cattle, was perfectly legal, and was regularly paid in the North and in England. To use an expression of the law, it was due of common right to the incumbent, who possessed a better title to it than any private man could show to his own estate. It was naturally disliked by the graziers and their landlords. In 1707 a judgment in favour of its demand was given in the Irish King's

¹ Newenham, *Population of Ireland*, p. 56, and Newenham's *View of Ireland*, p. 128.

² 1 Geo. II., c. 10.

³ Campbell, *Survey*, etc., p. 155.

Bench, and this decision was affirmed in the King's Bench, England.¹ The same question was again tried in the Exchequer in 1722 with a similar result.² Only three months before the proceedings to be shortly mentioned, the Commons themselves had admitted its legality by giving leave to bring into their House heads of a bill for ascertaining the tithe of herbage or agistment of dry and barren cattle, and settling the methods of recovering the same".³ But men who have made up their minds to increase their possessions rightly or wrongly, care neither for consistency, nor for the law of the land when they are in a position to override it.

The House of Commons was then chiefly composed of large landed proprietors, whose private interest it was that their estates should be free from tithe. Its members knew that neither the House of Lords nor the English Government would consent to an exemption for which not a single argument or reason could be advanced. Any other assembly would have remembered that they were assuming jurisdiction in a cause which was peculiarly their own, and would have hesitated to determine a matter already decided by the judges of the land. But the Irish Commons had no such scruples. They resolved to cast from their shoulders the burden of maintaining their own Church, whilst they continued it on a peasantry of a different faith.⁴

In 1735, two petitions against the tithe of agistment, one on behalf of the graziers, the other on behalf of the gentlemen and landlords of Ireland,⁵ were presented to

¹ Mant, *History of the Irish Church*, ii., p. 555.

² *Ib.*

³ *Commons' Journals*, iv., p. 199.

⁴ Mr. Lecky says (iv., p. 322) that the burden which was taken off the graziers was thrown on the cottiers. This was not so. The Church simply lost a large portion of its endowment, but no individual paid a larger tithe in consequence.

⁵ *Commons' Journals*, iv., 184 and 219.

the Commons, who, after considering them, resolved by a majority of 110 to 50 that the tithe of agistment was new, grievous, burthensome, and injurious to the Protestant interest; and that all legal ways and means ought to be made use of to oppose all attempts for carrying demands for such into execution.¹ Supported by the Lower House alone, most of the lay lords and commoners combined in associations to give effect to these resolutions, contributions were collected, and a treasurer appointed to carry on law-suits against the clergy, who were in addition threatened with opposition in their other rights if they ventured to sue for the tithe of agistment.² Though the resolutions of the Commons were unconstitutional and of no legal validity, they so intimidated the clergy that they had practically the effect of law. A third of the tithes of Ireland was already impropriate, that is, private property;³ this unjust and illegal oppression of the Protestant Church by its own members, deprived it, according to some, of a third of the remainder.⁴ This is certain, that in 1800, the value placed upon this tithe in the House of Commons was estimated at a million sterling a year.

The consequences of these resolutions were far-reaching. They crippled the Church, of which the Irish Commons professed themselves devoted sons, and rendered parochial unions more necessary than before, in order to afford suitable maintenance to the clergy. The number of pastors was diminished, and the difficulty of performing pastoral duties was increased. In many parishes the Protestants were left to the casual attentions of a neighbouring clergy-

¹ These resolutions aroused the indignation of Swift, and gave birth to the well deserved "Legion Club".

² Mant, ii., p. 556.

³ *Address to the Nobility and Gentry of the Church of Ireland*, Dublin, 1786.

⁴ Killen, *Ecclesiastical History*, ii., p. 261.

man, and had no one to conduct divine service regularly, to baptise, to marry them, or bury their dead. It was not strange that under these circumstances, many fell away from the religion of their forefathers, and adopted that of those among whom they lived. But the injury done to the Church was only a part of the evil caused by these resolutions. The tendency to turn great tracts of land into pasture was greatly fostered by them, inasmuch as they offered a large bounty on every acre of pasture, which bounty, if the lands were let on lease, went into the pocket of the grazier as long as his lease lasted; if not, or at the end of the lease, it went into that of the landlord. There can be no doubt that the contraction of tillage, and the exclusive possession of the best lands of Ireland by flocks and herds, were the principal causes of the misery of the Irish peasantry, and gave rise to the Whiteboys, 1761-1771,¹ and the Munster insurrection of 1785-1787. What must have been the feelings of neglected cottiers when they saw the most fertile lands in the kingdom occupied by cattle and sheep, yet found themselves in want of subsistence, and when they learned that the grazier, who paid perhaps £10,000 a year for rent² was, except upon the few acres he kept in tillage about his house, free from the tithe which they paid upon every acre of their wretched holdings. The Irish peasant dreaded peaceful cattle more than wild beasts, and hated them as the cause of his ruin. To this hatred may be traced the barbarous practice of houghing.

The action of the Irish Commons was purely selfish. If

¹ "The disturbances of the Whiteboys, which lasted ten years," etc. (Arthur Young, ii., p. 64).

² "Thus you may observe a rich grazier, who pays, perhaps, ten thousand pounds a year rent, may be subject to as much tythe as a wretched cottier who holds but ten acres of land. No wonder then that both the clergy and the poor should be equally distressed" (Cambell, *Survey*, p. 307).

they had wished to lighten the burden of the poor, they would have taken off the tithes from the potato gardens and the turf of the cottiers, and left them on the graziers, who were the only occupiers of land in Ireland possessed of capital. But they knew well what they were doing, and that their measures would increase their own rents. When the owners of tithe-free estates advertised their lands to let, they invariably mentioned this exemption, and claimed an advanced rent in consequence.¹ Not only did they thus increase the value of their estates in contempt of the law, but they were able to direct the indignation of the peasantry against the Church, and to delude them into the idea that their misery was owing to tithes.² In Ireland, tithes were fewer and lighter than in England. It was estimated that the Irish clergy did not collect a third of what was legally their due; and if we pay attention to facts and not to speeches in an Assembly hostile to them, we shall see that it was the interest of every incumbent to sell his tithe to the farmer, on whose lands it grew, much below its market value. In those parishes, where a *modus* or money compensation existed, no dispute could arise. Where a *modus* did not exist, if a dispute arose between the incumbent and the farmer, the latter was perfectly secure from extortions. What took place was this. The crops of the farmer were valued by two viewers, who proposed, on the part of the incumbent, a rate. If the farmer was dissatisfied with the amount demanded, he severed the tenth from the rest of

¹ *Address to the Nobility and Gentry, etc.*

² "Now, sir . . . it does not appear that there is the least ground to accuse the clergy of extortion. Far from receiving the tenth, I know of no instance in which they receive the twentieth part. I am very well acquainted with the province of Munster, and I know that it is impossible for human wretchedness to exceed that of the miserable peasantry in that province. I know that the unhappy tenantry are ground to powder by relentless landlords." Per Fitzgibbon, Attorney-General, 1787 (*Irish Debates*, vii., pp. 57-59).

the produce, and naturally took care not to overrate its dimensions. The tenth, so severed, was then offered for sale to the farmer as it lay upon his ground, to be paid for by his own note-of-hand with twelve months' credit. If he refused to buy, the incumbent was obliged to cart it away at his own expense to the nearest market. As it was almost impossible for the incumbent to draw the tenth of a whole parish, it was his interest to sell it to the farmers at their own prices. The consequence was, that the tenth was almost invariably sold much below the market price, at a rate seldom exceeding the one half, and often not amounting to one-fourth of the real value.¹

One of the results of the enormous extension of pasture and the neglect of tillage was the dearth of grain, and the frequent recurrence of famines. The quantity of grain raised in Ireland was so small, that, as there was no reserve in the hands of corn dealers, a bad harvest, or even an indifferent yield, occasioned universal suffering. Archbishop Boulter tells us that there was in 1727 "a terrible scarcity of corn, nigh to a famine,"² and attributes it to the landlords forbidding their tenants to till, and to the growth of pasture. Clarendon says that the scarcity of corn "was so great in 1728 and 1729 as to be little short of a famine," and that the importation of grain for eighteen months ending Michaelmas in the latter year, amounted in value to £274,000.³ In 1740 and 1741, five years after the resolutions of the Commons gave a premium to pasture, a famine on a great scale raged in every part of Ireland. There was again a scarcity of corn in 1756 and 1757. In 1765,

¹ The legal value, and the rates at which the Munster clergy sold their tithes, are given in Dominick Trant's *Considerations on the Present Disturbances in Munster*, Dublin, 1787.

² *Letters*, i., p. 151.

³ *Sketch of the Revenue of Ireland*, p. 97.

there was a great scarcity which was aggravated by a failure of the potato crop. To mitigate the calamity, two Acts were passed,¹ the one to stop distilling from any kind of grain; the other to prevent the exportation of corn. Another great scarcity was experienced in 1770, and the alarm was so great that the Lord Lieutenant in his speech, 26th February, 1771, recommended the high price of corn to the earnest attention of the Parliament.²

The contrast between the wide domains devoted to pasture and the small tillage holdings was great and striking in more ways than one. The silence of depopulation reigned in the former; the latter exhibited the only rural industry in the southern provinces, which, if encouraged, would soon have developed a healthy growth. The rich graziers of Ireland, says Arthur Young, are "as arrant slovens as the most beggarly cottiers".³ Their lands were covered with weeds; of fencing, draining, building, or cleaning the ground, they knew nothing. "In the mountainous tracts," says the same observer, "I saw instances of greater industry than in any other part of Ireland. Little occupiers, who can get leases of a mountain side, make exertions in improvement, which, though far from being complete or accurate, yet prove clearly what great effects encouragement would have among them".⁴ Wherever the soil was inferior and unfit for pasture, there only the signs of cultivation and improvement made their appearance. "A great share of the country I rode through hither (Athlone)," says another eye-witness, "was rough and in some places mountainous, yet it afforded greater pleasure than the most fertile parts, for it showed more cultivation and more signs of population. The houses grew more frequent and less wretched wherever the grounds

¹ 5 Geo. III., cc. 4 & 5.

² Clarendon, pp. 107, 108.

³ Vol. ii., p. 30.

⁴ *Ib.*, p. 31.

were bad".¹ "It is an observation," says another authority, "which must strike every traveller through Munster, where grazing chiefly prevails, that the greater the fertility of the soil, the more wretched are the peasantry who occupy it. . . . Grazing diminishes population—it promotes indolence; the extensive capital it requires, which in any other occupation would give work to thousands, supports but a few wretched and slothful herdsmen."²

The system of devoting large tracts of country exclusively to pasture, continued up to the Legislative Union of 1800. In 1793 Crumpe deplored its prevalence. On the 21st of March, 1800, during the Union debates, Sir John Macartney startled the members of the Commons by reminding them that the tithe of agistment which he valued at £1,000,000 sterling a year had been abolished solely by a vote of their own House; that by the Union the operation of that vote would expire, and that the clergy would be remitted to their legal rights. The alarm created by this announcement among the Unionists, their opponents, and the graziers was so great that the Government introduced and passed a bill for the abolition of this tithe.³ The high value placed by the House on it is strong evidence of the great extent of pasture. Very soon after the Union was effected, pasture commenced to decrease and tillage was greatly extended. Newenham, writing in 1805, and commenting on a passage in Boulter's letters—"in some of the finest counties there is not a corn field to be seen in ten or fifteen miles"—says "at present a person may travel a *hundred* and ten or a *hundred* and fifteen miles through Ireland and meet little else than corn or potato fields."⁴

¹ Campbell, *Survey*, etc., p. 264.

² Crumpe, *Essay on the Best Means of Providing Employment for the People*, Dublin, 1798.

³ Cornwallis, *Correspondence*, iii., pp. 216, 220.

⁴ *Inquiry into the Population of Ireland*, p. 56.

In the same year, 1735, in which the Irish Commons passed their resolutions against the tithe of agistment, the wisest man in Ireland published, among his *Queries*, suggestions for the better management and improvement of the country. If the legislators and gentlemen of Ireland could have taken to heart these suggestions, and put them in practice, there would soon have been a wonderful improvement in the condition of the country. Berkeley pointed out the abject misery in which the people lived,¹ the great capabilities of the country,² the neglect of agriculture,³ the primary importance of a home trade, and the comparative unimportance of a forced foreign commerce.⁴ Shocked by the universal destitution in the country, and the blindness of its rulers, he asked, whether, even if Ireland were surrounded by a wall of brass, some means might not be found to feed and clothe its inhabitants,⁵ and whether the art of governing did not require some share of moral qualities and political knowledge.⁶ But the men whom he addressed cared little either for domestic trade or the improvement of agriculture. What they looked to

¹ Whether there be upon earth any Christian or civilised people so beggarly, wretched, or destitute, as the common Irish.

² Whether there be any country in Christendom more capable of improvement than Ireland.

³ Might we not put a hand to the plough or the spade, although we had no foreign commerce?

⁴ Whether a people who had provided themselves with the necessities of life in good plenty, would not soon extend their industry to new arts and new branches of commerce. Whether, as our current domestic credit grew, industry would not grow likewise, and if industry, our manufactures, and if these, our foreign credit.

⁵ Whether, if there was a wall of brass a thousand cubits high round the kingdom, our natives might not, nevertheless, live cleanly and comfortably, till the land, and reap the fruits of it.

⁶ Whether to comprehend the real interest of a people, and the means to procure it, doth not imply some fund of knowledge, historical, moral, and political, with a faculty of reason improved by learning.

was an impossibility, viz., an extensive foreign commerce and a huge exportation, without a home consumption. They had no idea of the natural development of a nation; that it advances from a superabundant agriculture to manufactures, and from superabundant manufactures to external trade. Dazzled by the enormous commerce of Great Britain, and ignorant of economic truths, they dreamt that they could prematurely force a country especially adapted to agriculture, and which possessed no capital,¹ into a foremost place in the markets of the world. These views are manifested in their Parliamentary debates, and in the treatises of their commercial writers. In both, agriculture and domestic traffic are treated lightly, and the word "trade" means almost always foreign commerce, to the exclusion of the other two, which in their due order are the indispensable foundations upon which foreign intercourse and external exchange can be built. Of this way of thinking, we have already had an example in Hutchinson's worthless and misleading *Commercial Restraints*, in which the author complained that the woollen manufacture of Ireland had been destroyed by England, though he must have known, at the time he wrote, that there was a flourishing home manufacture which absorbed every pound of wool grown in Ireland, and which, when freedom of exportation was granted, was found to be incapable of increase.

¹ "The Irish are deficient in all kinds of stock, they have not sufficient for the cultivation of their lands, and are deficient in the stocks of master manufacturers, wholesale merchants, and even of retailers" (*Commercial Restraints*, p. 73).

CHAPTER XIV.

FROM 1753 TO 1773—THE INTENTIONAL WASTE BY THE IRISH
COMMONS OF THE RESOURCES OF THE COUNTRY—
UNIVERSAL JOBBERY.

Two of the most recent writers, who have treated of the condition of Ireland in the eighteenth century, have made statements respecting the revenue of that country which could only have arisen from extraordinary unacquaintance with the subject. Mr. Froude tells us that the finances of Ireland were "economically managed,"¹ and Mr. Lecky assures us that the Irish Parliament put "a real check upon the extravagance of the Executive".² A short examination will show us that these assertions are directly opposed to the truth, and that, from about the middle of the century, the Irish Parliament, for purposes of its own, deliberately set itself to squander the resources of the kingdom, and to accumulate a National Debt which need never have existed. The country gentlemen of Ireland, says Arthur Young, "have regularly in Parliament promoted all those visionary and expensive projects, set on foot by interested people, for giving premiums and bounties to the amount of an hundred thousand pounds a year, and which alone accounts for the whole of the National Debt and declining revenue, which will make many new taxes necessary."³

¹ *English in Ireland*, Book V., c. 1. Yet, in the next chapter, he states that £150,000 a year was lost to the Government out of the customs by "various forms of peculation".

² Vol. ii., p. 313.

³ *Tour in Ireland*, ii., p. 272.

In 1747, the King announced to the British Parliament that the French had made overtures of peace, and in the following year the treaty of Aix-la-Chapelle was concluded. This peace poured a flood of wealth into Ireland, which enabled her to pay off her national debt, which in 1747 amounted to £314,304,¹ within the short space of five years. It ought to be mentioned here that Parliament sat every second year, and that the charges of the Government, previous to the year 1784, were always made up for two years.

In 1749 the revenue rose so considerably that a surplus of £220,241 remained in the Treasury after all the expenses of Government had been defrayed.² The King desired that a portion of this surplus should be applied to the diminution of the national debt, and a motion to this effect was made by his Attorney-General in the Commons. Heads of a bill, which afterwards became law, were drawn up by the Commons for the payment of the sum of £128,500, in which there was the following recital. "Whereas . . . a considerable balance remained in the hands of the vice-Treasurers . . . unapplied, and it will be for your Majesty's service and for the ease of your faithful subjects . . . that so much thereof as can be conveniently spared, should be paid, agreeably to your Majesty's intentions, in discharge of the aforesaid national debts; we pray, etc."³ The surplus arose from a great increase in the hereditary revenue and in the additional duties, but principally in the former. As it arose from an increase in the King's revenue and in duties which had been granted to him without appropriation, it is clear the disposal of the surplus was

¹ *Commons' Journals*, vol. IV., pt. i., p. 529.

² Clarendon, *Revenue and Finances of Ireland*, p. 100; Campbell, *Constitution and Government of Ireland*, p. 366.

³ 23 Geo. II., c. 2.

lodged in the King. However this may be, the recital in the Act was an acknowledgment of his right to interfere in the disposal of the surplus, and of his consent having been communicated to the Commons before they drew up the heads of the bill.

In 1751, the revenue was still more productive, and a surplus of £248,396 remained in the Treasury.¹ The King, having been informed that it had been doubted whether his consent was necessary to the disposal of the surplus, laid the matter before all the judges in England. Their unanimous answer was that his previous consent was part of the Royal prerogative in the disposition of the money.² On opening the session, the Lord-Lieutenant told the Commons "that His Majesty would graciously consent and recommended it to them that such part of the money remaining in the Treasury as should be thought consistent with the public service be applied to the further reduction of the national debt".³ The Commons thanked the King, but took no notice of his consent. They drew up heads of a bill for the application of £120,000 to the payment of the debt, but omitted all mention of the King's consent. When the bill was transmitted to England, the omission was there supplied, and the word "consent" inserted in it. The bill, so altered, passed both Houses without an objection or a single negative.⁴ This was the second Irish legislative acknowledgment that the King's consent was necessary to the disposal of a surplus.

¹ Campbell, p. 366. Clarendon says: "Had the sums left to lie in the hands of the collectors, and the surplus in the Treasury, beyond what was necessary for the current services, been applied to the payment of the debt, it appears that there would have been no less than £22,370 to spare after satisfying every demand" (p. 100).

² Clarendon, p. 101; Campbell, p. 366.

³ Lord Macartney, *Account of Ireland*. These words are repeated in the Act, 25 Geo. II., c. 2.

⁴ Lord Macartney; Campbell, p. 367.

In 1753, the surplus in the Treasury amounted to £315,822.¹ At the opening of the session, the Lord-Lieutenant in his speech repeated exactly the same words of His Majesty's consent and recommendation as in the previous session. The Commons in their address omitted the word "consent," but expressed their sense of the King's recommendation. Heads of a bill were drawn up by them for applying £77,500 or so much thereof as should be sufficient to discharge the remainder of the debt and for other purposes. In these heads the Commons mentioned neither the King's consent nor his recommendation. The bill was returned from England with the word "consent" inserted according to the form of the preceding session. It was thrown out by a majority of five—122 to 117—because the King's consent was mentioned in it.² Notwithstanding the rejection of the bill, the King sent over his letter for the payment of the remainder of the debt out of the balance in the Treasury.³

The revenue still continued to rise, and in 1755, the accumulation was so great, that the Committee of Accounts voted the amount of the surplus to be no less than £471,404 5s. 6½d.⁴

The Commons, finding themselves foiled in their attempt to get into their own hands the disposal of the surplus in the Treasury, now resolved that a surplus should never again be found there. It became a maxim to depress the hereditary revenue in every possible way, and, under the

¹ Clarendon, p. 102; Campbell, p. 367.

² "This conduct, however popular at that time, has since been considered as an effort of party to obtain power (Clarendon, p. 102); "At this time a powerful faction in Parliament wanted to force themselves into place and power; and so artful were they that the people became at once the tools and dupes of *their* ambition" (Campbell, p. 367).

³ Macartney; Campbell, p. 367.

⁴ Clarendon, p. 102; Hutchinson, *Commercial Restrictions*, p. 38.

pretence of encouraging the improvement of the country, to multiply parliamentary grants. To carry out this object, the Commons entered upon a flagitious system of jobbery which has never been paralleled in any other nation.

The evidence which discloses the universal jobbery thus inaugurated by the Irish Commons is overwhelming. Clarendon tells us "the prevailing party in the House of Commons, having been thwarted in their application of the redundancy in the Treasury, wished to avoid further contests of that kind, and they adopted a new line of conduct, which continued many years after . . . the object now was to multiply the parliamentary grants, ostensibly for public, but really for private uses. The system became so avowed that the Committee of Supply, which had the disposal of the public bounties, etc., was, by way of eminence, called the Scrambling Committee."¹ Campbell informs us, "the leaders of Opposition, now finding that they could not avail themselves of the surplus in the Treasury, were resolved that a surplus should never more be found there. And as the flourishing state of the revenue must keep the Crown independent of them, and consequently render a Parliament not so necessary, it became a maxim to depress the hereditary revenue by addition upon addition to the old additional duties, and to dole away the public money in a multiplicity of grants, ostensibly for public, but really for private uses."² Lord Macartney³ says: "For this purpose [to prevent a

¹ *Revenue and Finances of Ireland*. p. 103. See also the weighty observations of Hely Hutchinson on this matter: "It became a pious fraud to lay every possible charge on this fund (the hereditary revenue), and with that view bounties and premiums to a very great annual amount were charged on it" (*Irish Debates*, xiii., p. 473).

² *Constitution and Government of Ireland*, p. 367.

³ Mr. Lecky in vol. ii., p. 313, calls this gentleman "a very able Englishman, who was Chief Secretary under Lord Townshend". Macartney was an Irishman, born at Lissanoure, in the county of Antrim.

surplus] the House of Commons, in this session, began to appropriate a considerable part of the additional duties to their own use. This was done under pretence of encouraging public works, such as inland navigation, collieries, and manufactures of different kinds; but the truth is, that most of these public works were private jobs, carried on under the direction and for the advantage of some considerable gentlemen in the House of Commons. By this means, the parliamentary leaders perfectly answered all their views they gratified their friends, impoverished the treasury, and kept government under a constant necessity of asking supplies. . . . Since that time it has been the constant habit of the House of Commons to load the money bill with appropriations of this sort, amounting sometimes to near a fourth of the whole supplies.”¹ And Lord Clare states: “The Commons took effectual care that the question [the disposal of the surplus] should not occur a second time, by appropriating every future surplus to their private use, under the specious pretence of local public improvements. Wind-mills and water-mills, and canals and bridges, and spinning-jennies were provided at the public expense, and the parliamentary patrons of these great national objects entrusted with full discretionary powers over the money granted to complete them.”²

The Irish Commons lost no time in carrying out their new plan. In the two sessions before the year 1753, £400 in each session, that is £200 a year, was considered a sufficient bounty for public works. In the year 1753, £30,000 was granted for this purpose, and £40,000 in the subsequent session.³ Between 1753 and 1763 the grants for public works amounted “to no less than £400,000”.⁴

It soon became known throughout Ireland that money

¹ *Account of Ireland.*

² Speech, 10th Feb., 1800.

³ Caldwell's *Debates*, p. 377.

⁴ *Ib.*, p. 421.

was to be had for the asking, as, instead of offering premiums for the excellence of manufacture, large sums were granted to individuals to dispose of them as they pleased. "I find," said Sexton Pery,¹ in 1763 on the presentation of a petition for parliamentary aid, "that vast numbers of people have come from every part of the kingdom with petitions praying parliamentary aid to carry on different manufactures . . . the granting of money by Parliament on these occasions is a practice but of late years . . . I was one of those who thought it for the benefit of trade, but experience has convinced me that I was mistaken, and that it has produced an effect directly opposite to that which was intended . . . instead of granting large sums to particular persons to dispose of as they please, I think we should apply them in liberal premiums for different manufactures in proportion to their quantity and excellence. I have myself within this last few days had many petitions of the same kind with that now offered, all of which I refused to present, and shall give it as my opinion that no more should be received".² To this suggestion, the member who had presented the petition answered, "that he thought it very hard that his should be the first that was refused, and that he did not see why he should not have his job done as well as another".³ Pery's motion was defeated, and the petition was referred to a committee. Thereupon, Pery presented all his petitions which he had previously refused to present, saying, "notwithstanding the division for reading this petition, I am persuaded that many gentlemen, who divided for it, must be extremely sorry to see the public money lavished away in jobs, which might otherwise be employed to public advantage". Dr. Lucas complained of the "vast sums" granted and the use made

¹ Pery was afterwards Speaker from 1771 to 1785.

² Caldwell's *Debates*, p. 129.

³ *Ib.*, p. 131.

of them. "I remember," he says, "a considerable sum was given last session to the proprietor of a glass house . . . who, the moment he got it, instead of setting himself to blow bottles, set his house on fire, blew it up, and then went about his business. Large sums were also given to the cambric manufactory, and the next thing we heard of it was, that the proprietors were bankrupts. One Delamain got money for making Rhone ware, and the work has been discontinued from that time to this."¹ Another member declared that jobs were universal, and that they made their appearance in the schemes for the improvement of trade, shipping, manufactures, roads, bridges, repairing fortifications, preparing armaments for fortifications before any were built, building quays and piers, canals, and river navigation. "They are found," he continued, "at the Treasury Board, the Linen Board, the Barrack Board, and in short at every other Board, nor are they ever to be missed at Grand Juries or Societies that have the disposal of money".² At a later period of the session, Mr. Maxwell warned the House against grants that must entail national bankruptcy, and instanced the sums spent in inland navigation to no purpose. Though, said he, £9,000 a year is now appropriated to inland navigation) "yet the parliamentary aids that have been granted for this purpose are immense. No less than £233,000 has been appropriated to that fund since the year 1753, from which the public has not hitherto received the least advantage . . . it is very strange that experience itself should not convince us that these schemes are impracticable. . . . What are the commodities that this inland navigation is to transport? Have we any towns on the banks, or near the branches of the canals, that can supply vessels with manufactures or any other article of commerce

¹ Caldwell's *Debates*, p. 133.

² *Ib.*, pp. 136-43.

in such quantities as will make the benefit of navigation equal to the expense.”¹ And the Attorney-General, after pointing out that the committee of supplies had recommended that a sum of £126,000 should be paid to the undertakers of public works in that session, declared that the difficulties, under which the nation was then struggling, “arose from the excessive grants which had taken place since the year 1753”. “There was a great inconsistency,” he added, “in complaining of an establishment as an insupportable burthen, and at the same time lavishing away enormous sums for the gratification of gentlemen in particular counties, for that he could not help considering many of the supposed public works wholly in that light”.² In 1780, Arthur Young summed up the whole matter in a few words, “a history of public works in Ireland would be a history of jobs”.³ “To yourselves,” he says in another place, “are you indebted for bounties on the carriage of corn, for premiums on corn-stands, for ideal navigations through bogs to convey turf to Whitehaven, for collieries where there is no coal, for bridges where there are no rivers, navigable cuts where there is no water, harbours where there are no ships, and churches where there are no congregations.”⁴

In December of the session 1763-4, Mr Dawson moved that no more public money should be granted for the making of new canals, rendering rivers navigable, or improving harbours or quays, or for any new work or manufacture “till this nation is free of debt.”⁵ This wise and necessary proposal was rejected without a division.⁶ At this time, the debt of Ireland amounted to £521,161; the richest lands in the island were “abdicated by the human species” and in the possession of flocks and herds; the peasantry, in the

¹ Caldwell's *Debates*, pp. 405-09.

² *Ib.*, pp. 421, 424.

³ *Tour in Ireland*, ii., p. 130.

⁴ *Ib.*, ii., p. 273.

⁵ Caldwell's *Debates*, p. 549.

⁶ *Ib.*, p. 553.

words of Sir James Colville had "scarcely the appearance of human creatures";¹ and the central counties were in the power and under the control of the Whiteboys. Yet, strange to say, rents had doubled within the preceding thirty years.² How much of this increase arose from the confiscation of the Church's property twenty-eight years before, it is impossible to say.³

The abuses in the collection of the revenue have been mentioned in a preceding chapter; a few facts may be added here. In the year 1684, the inland excise and ale licenses amounted to £87,367; in the year 1772, they produced only £78,217, or nearly ten thousand pounds less than they had produced eighty years before.⁴ The cost of collecting the Irish revenue rose from a little more than 3 per cent in 1700 to upwards of 18 per cent in 1730.⁵ In the twenty years, 1750-1770 it had increased from £69,799 in the former year to £121,933, in the latter.⁶ After the Legislative Union, the cost fell to about the same average at which the revenue of Great Britain was collected. In 1808, the gross revenue of Great Britain was collected at the cost of £8 3s. 10½d. per cent.; that of Ireland cost £8 17s. 11d.⁷

The Parliament was not content with lavishing the resources of the country on jobs and impracticable schemes. They resolved to attack the hereditary revenue, and to load it with bounties and premiums which were not in contemplation of Parliament when that revenue was first

¹ *Inquiry Concerning the Restrictions on the Trade of Ireland.*

² Caldwell's *Debates*, p. 593.

³ Mr. Lecky states (iv., p. 357) that the Commons resolved, in 1763, to grant no more sums to particular persons. The resolution was limited "to this Session," and was immediately violated by grants of £1,500 to the Messrs. Nesbit, and £3,000 to Lord Longford.

⁴ Campbell, p. 365.

⁵ Clarendon, Appendix, p. 53.

⁶ Lord Macartney, *Account of Ireland.*

⁷ Newenham, *View*, etc., Appendix 15.

established, or even so late as 1727.¹ The whole expense of collecting the Irish revenue was deducted from the hereditary revenue before the latter reached the Treasury.² The Irish Parliament desired to diminish it still more, and for this purpose enacted the most absurd law which ever emanated from a legislative body. In 1757, that is, four years after its members had determined that a surplus should never again be found in the Treasury, they passed a measure which Arthur Young declared cost the country, within seven years before 1779, more than a million sterling. Under the pretence of securing for the City of Dublin a better supply of corn and flour, they gave a bounty on the inland carriage of corn, wheat, rye, meslin, bere, barley, malt, oats, flour and meal³ from all parts of the kingdom to the capital. The bounty took the form of a mileage according to the distance of the place of production, but at first a radius of ten miles round Dublin was excluded, which was in a short time reduced to five miles.⁴ To this bounty on land carriage the Parliament afterwards added bounties on carriage to Dublin by canal or coastways. The sums spent in this way, during the period these Acts were in operation, amounted to £1,917,770, or an average of upwards of £51,000 annually,⁵ all of which was not only lost to the country but in its expenditure caused infinite damage to the other industries of the kingdom.

These bounties were placed on the hereditary revenue, and the Executive was absolutely excluded from all management or interference with a large portion of the revenue which had been settled on the Crown by the Parliament.

¹ Caldwell's *Debates*, p. 423.

² Clarendon, p. 65.

³ 31 Geo. II., c. 3. "An Act for better supplying the city of Dublin with corn and flour."

⁴ 7 Geo. III., c. 12.

⁵ Newenham, *View*, etc., Appendix 5.

VOL. I.

The manner in which this was effected was as follows: The Acts made the bounties payable, not out of the money in the Treasury, but out of the revenue in the hands of the Collector of the port of Dublin, as he received it, and before he had accounted to the Treasury for his receipts. So that no matter what national difficulty arose, the corn bounty must first be paid, even if there were not funds in the Treasury sufficient to pay the troops. This case actually happened in 1779, when it became necessary to borrow from England £50,000 for the subsistence of the army. Yet in this same year the corn bounties alone,¹ not to speak of other Parliamentary payments,² amounted to the sum of £70,000.

Hutchinson says that the "great law," which gave a bounty on the land carriage of corn to Dublin, was due to the interposition of the Chief Governor. This statement is unfounded. The Duke of Bedford, who was then Lord Lieutenant, struggled against an Act which imposed an enormous charge on the hereditary revenue. He even offered to compromise the matter by assenting to the bounty for a term of years, but nothing would satisfy the Parliament but a perpetuity.³ The leaders who then influenced that Assembly, promised to create a fund for the payment of the land carriage bounty, but though often reminded of their promise never fulfilled it.⁴ Instead of

¹ For inland carriage, £67,864, and £2,500 for its coastway (Young, ii., p. 168); Newenham makes the sum for land carriage £67,848, and Hutchinson £67,864 (*Commercial Restraints*, p. 43).

² "Parliamentary payments," says Clarendon, "are chiefly composed of the grants voted in the Committee of Supply for the encouragement of arts, manufactures, erecting public buildings, etc. These grants have been sometimes carried to a prodigious excess, and in the year 1769, they amounted to no less than £118,963. Many of these grants have been considered as little better than jobs" (Append., p. 47). The Committee here named was the Scrambling Committee.

³ Lord Macartney, *Account of Ireland*.

⁴ *Ib.*

doing so, they threw on the hereditary revenue fresh bounties on the carriage of corn, etc., to Dublin, by canal and coast ways.

The folly and ruinous effects of the bounty on inland carriage were exposed by Arthur Young. This writer has proved that it alone, exclusive of other bounties, cost the country the sum of £143,510 yearly, for the seven years before he wrote, or upwards of a million sterling in that short period. The arguments, which he made use of to the leading men, during his stay in the country, prevailed.¹ In 1780, the bounty on land carriage was considerably reduced,² and in 1797, all the bounties on the inland carriage to Dublin, with the canal and the coast bounties, were swept away.³

Before the administration of Lord Townshend, the Irish Parliament lasted for the life of the Sovereign, and the Viceroy resided only for a winter in every second year, while the Parliament was sitting. During the remainder of the two years, the government of the country rested in the hands of Lords Justices. One of these was either the Primate or the Chancellor; the other two were chosen out of the great proprietors of the boroughs, who stipulated for a share in the patronage of the Kingdom, and in return undertook to carry the King's measures through Parliament. These Undertakers as they came to be called, steadily pursued the plan of diminishing the revenue of the country and the authority of the British Government. In 1760, previous to the calling of a new Parliament on the accession of George III., the three Lords Justices, the

¹ In the year 1779, I explained fully, from very detailed calculations, the mischievous tendency of the inland bounty, so much to the satisfaction of the leading men in that kingdom, that the very next ensuing session of Parliament . . . it was reduced half, to the saving of £40,000 per annum to Ireland" (*Tour in Ireland*, Append, ii., p. 348).

² 19 and 20 Geo. III., c. 17.

³ 37 Geo. III., c. 24.

Primate, Lord Shannon, and Mr. Ponsonby, refused to certify a money bill for transmission to England, though no Parliament had ever been called since the Revolution without the previous certification and transmission of such a bill.¹ On this occasion the British Government was firm in upholding the law, and the Justices at length submitted and certified a money bill, which, being returned, was passed in both Houses by a very large majority.² After the peace of Paris in 1763, when Great Britain had obtained an interval of rest, it was determined to adopt a new system in Ireland, and to break down the power of the oligarchy. The kingdom was to be freed from the Undertakers, the Lord Lieutenant was to reside permanently, and himself to distribute the Royal patronage. Lord Bristol was fixed on as the first resident Chief Governor, but he having resigned without taking possession of his Government, Lord Townshend was chosen to carry out the new policy, and came to Ireland in 1767.

When Lord Townshend arrived in Ireland, no object was more desired by the small community of Episcopalians who monopolised all political power than the limitation of the duration of Parliament; and nothing was more disliked by the Undertakers, who were well aware that frequent Parliaments would lessen their influence. Though the Commons dreaded the expense of repeated elections and the risk of rejection,³ the pressure of their constituents compelled them to pass the desired measure in the shape of an Octennial Act, the bill for a

¹ Lord Macartney, *Account of Ireland*.

² *Ib.*

³ Lord Charlemont says that the law shortening the duration of Parliament "was obtained in direct contradiction to the ardent wishes of a great majority in Parliament," and gives an amusing account of the dismay caused by its passing to Mr. Ponsonby, "the principal Undertaker," and his friends (*Manuscripts and Correspondence of Lord Charlemont*, ii., pp. 24-26).

Septennial Parliament having been altered in England, to prevent the inconveniences of general elections in both countries at the same time, and to make the Act more suitable for a Parliament which met only every second year. In consequence of a clause in the Act¹ the Parliament was dissolved in 1768 and a new one summoned.

In October, 1769, the first Octennial Parliament met, and Ponsonby was elected Speaker. By this time, says Lord Charlemont, it was known to the Undertakers that Townshend's policy was to destroy their influence, and it became their favourite object to distress his Government.² Before the Parliament met, certain bills had been framed in the Viceroy's Council and transmitted to England as causes for calling a new Parliament. Among these was a money bill, which, being returned under the Great Seal, was thrown out by 94 to 71. The Commons, not content with acting within their undoubted powers, followed up their action by a resolution, "that this bill is rejected because it did not take its rise in this House". Thus, after an acquiescence of nearly eighty years, and in the face of the opinions of both the English and Irish judges given on a former occasion, the Commons revived their claim, that it was their sole right to originate a money bill, for otherwise their resolution would have had no meaning. The rejection of the bill was in reality the revenge of the Undertakers. The Duke of Leinster, Lord Shannon and—what could only have happened in an Irish Parliament—the Speaker himself, made every endeavour to defeat the Government, and mustered all their friends to vote against the bill.³ Lord Townshend prorogued, but did not, as had been done in 1692, dissolve the Parliament,

¹ 7 Geo. III., c. 3.

² *Manuscripts*, etc., i., p. 25.

³ Lord Macartney, *Account of Ireland*.

for its action on the present occasion, in rejecting the bill, was legal, its resolution only being contrary to law.

During his administration, Lord Townshend made an attempt to secure the honest collection of the revenue, and to put an end to the peculation which prevailed in it. It was high time to set about this project, for, as has been stated before, the cost of collecting the revenue had risen from £69,779 in 1750 to £121,933 in 1770.¹ This attempt, like everything else in Irish History, has been misrepresented.

It appears from the two Acts² settling the Excise and Customs on the Crown in the reign of Charles II., that separate Boards of Management were in the view of these statutes. One enacted that the Commissioners of Excise should not exceed five in number; the other, that the Commissioners of Customs should not be more than seven or less than five. But the provisions of these Acts were neglected, and both Excise and Customs came to be under the direction of one board, consisting of seven commissioners, all of whom were appointed Commissioners of Customs and five only Commissioners of Excise. Lord Townshend desired that the system of separate boards, which worked well in England, should be adopted in Ireland. This scheme was put into operation in 1772 at an expense of £16,000 in the first year, seven Commissioners of Customs and five of Excise being appointed. The change was immediately followed by a very great increase in the revenue, its produce rising by a sum of £48,000 more than in the year preceding the alteration.³ But an increase in the revenue was of all things the least

¹ Lord Macartney, *Account of Ireland*.

² 14 & 15 Chas. II., cc. 8, 9.

³ Lord Macartney, *Account of Ireland*. Mr. Lecky admits this extraordinary increase, but attempts to diminish its importance by saying (iv., p. 402) that the revenue had been rising before the change. The fact is

desired by the Parliament, and, in obedience to its clamorous demands, the boards were again united in the succeeding viceroyalty and the old faulty system was revived.

If it were possible to entertain a doubt as to whether the majority of the Irish Commons were opposed to placing the finances of the country on a sound basis, their conduct in 1773 would remove it. At this time, the national debt amounted to £994,890,¹ and the revenue was falling. Rents, to an amount of about a million sterling a year,² were at this period remitted to Irish proprietors of land resident in England, who, as there was neither poor law nor land tax in Ireland, contributed nothing to the support of the Government. It was known that the Prime Minister, Lord North, was favourable to the idea of taxing these proprietors, and the project was popular among the dominant class which governed Ireland. Early in the session, it was proposed in the Commons that a tax of two shillings in the pound should be laid on all rents and profits payable to persons who did not reside in Ireland six months in the year.³ The motion was rejected by 126 to 103. This tax of ten per cent. would have added £100,000 a year or perhaps more to the revenue of Ireland, without costing the country a shilling. As it was rejected, it became necessary to borrow a sum of £265,000 and to impose stamp duties for the first time.

that for the five years ending at Lady Day, 1772, the revenue had produced less by £106,621 than during the preceding five years (Clarendon, p. 110). If, as Mr. Lecky says, the revenue was rising, why was it necessary to borrow £265,000 in 1773 and to impose fresh taxes?

¹ *Commercial Restraints*, p. 47; Clarendon, Appendix 16.

² Arthur Young makes these rents to amount to £732,200 (ii., p. 116); but in a list of absentees published in 1785 it is stated that the remittances from Ireland to England amounted to £1,608,932 (Newenham, *Population of Ireland*, p. 169).

³ This proposed tax must not be confounded with the tax of 4s. in the pound on the salaries, pensions, and employments of absentee office-holders.

The defeat of a proposal, which would have gone far to render the Irish revenue equal to the expenditure, was helped by a selfish conspiracy between five great Irish proprietors who resided in England—the Duke of Devonshire, Lords Bessborough, Rockingham, Milton, Upper Ossory—and their friends and connections in the Irish Commons. Edmund Burke was the penman of the conspiracy, and drew up for these Whig noblemen a letter to Lord North protesting against the imposition of such a tax.¹ Mr. Lecky terms this letter “one of the most perfect State papers of the time”. In reality, it is a paltry production, and does not touch either on the necessities of Ireland or the duty of those landlords to the government which protected their property. This is not the only example of a close union between the English Opposition and members of the Irish Parliament. We have already had one in 1641, and in 1785 and 1789 we shall meet other instances of the same kind. In every case they have been fatal to the interests of Ireland.

We do not require the great authority of Adam Smith to show us the equity of a tax, which was justified by morality and the necessities of Ireland. A tax far heavier than that proposed, which would have compelled the absentees to return or to sell their lands, would have been a blessing to the country. No feature of Irish life is more repugnant than the utter contempt of duty manifested by the Irish absentees, who contributed nothing to the wealth or welfare of the nation, and acknowledged no tie between themselves and their tenants but the receipt of rent, which

¹ This is to be found in *Collectanea Hibernica*, i., p. 115, and in Plowden, i., p. 423. Burke also wrote to an Irish member a long letter against the tax, which was evidently intended to be shown to others (See Letter to Sir Charles Bingham, Arnold's *Letters and Speeches of Burke*, p. 70). Among the names of the absentees given by Arthur Young we find that of Mr. Edmund Burke with a rental of £500

they regulated by competition. If they had returned to their estates, they might have remedied the oppressions which prevailed, and encouraged improvements in an agriculture which was the worst in Europe. Almost all the disturbances, which from time to time occurred in Ireland, commenced on the estates of absentees, and nothing would have done more to tranquillise the country than the presence and authority of great proprietors. Even the writers who shut their eyes to the faults of the Irish Parliament deplore the rejection of the absentee tax. Clarendon and the author of *Collectanea Hibernica* express their astonishment at the refusal of the offer of this tax and tell us "it owed its fate perhaps more to the having proceeded from Government than to a due estimate of its advantages".¹ And Plowden says "the patriotism of the majority which rejected this seasonable relief to their country could have been neither disinterested nor pure".²

During the period from 1753 to 1780 Ireland presented the strangest spectacle. Some writers, when speaking of this interval, make use of such expressions as the "Irish people," "popular pressure," "feeling of nationality," etc. These expressions only mislead, and distract our attention from the real circumstances of the country. There was no such thing as an Irish people, nor was there any possibility of a concurrence of national sentiment as things existed. The vast majority of the inhabitants of the island were sullen or discontented. There could be no union between a privileged community, which monopolised all political power, and mere sojourners in the land, who were denied the rights of citizens. The Presbyterians were excluded from all public offices, civil and military,

¹ Clarendon, p. 109; *Collectanea Hibernica*, i., p. 114.

² *Historical Review*, i., p. 422.

above the rank of a parish constable. The Roman Catholics, among whom the old leaven of disaffection engendered by Papal teaching was working, were excluded both from office and the franchise. Universal disquiet prevailed throughout the country, as was shown by the Oak boys and Hearts of Steel in the North,¹ and the long continued insurrection of the Whiteboys in the South. All things portended the movements and disturbances which are the results of mismanagement and dishonesty on the part of rulers and of the despair of the subjects. There was no hope in a Parliament which, instead of statesmen, produced and was wholly directed by unscrupulous politicians like Ponsonby, Pery, Hutchinson and Flood, to whom patriotism and public morality meant only office and power; and who, like some of the lower animals, changed their coats and colours according as they were in Government employ or in Opposition. Newenham says with justice that throughout the greater part of the eighteenth century the Irish Parliament was not merely regardless of the welfare of two-thirds of the Irish community, but may fairly be considered as in a state of hostility with them".² During the period now under consideration, the Parliament, which represented less than a fourth of the inhabitants and was composed almost exclusively of Episcopalians, had taken possession of the revenue of the kingdom, and was deliberately wasting it for the purpose of enhancing its own importance and lessening the authority of Great

¹ Speaking of the Whiteboys, Lord Charlemont says: "The very same district," viz., Kilkenny, Limerick, Cork and Tipperary, "has been for the long space of seven-and-twenty years liable to frequent returns of the same disorder, into which it has continually relapsed" (*MSS. and Correspondence*, i., p. 20). A motion to inquire into the causes of these disturbances was negatived in Parliament (Gordon, ii., p. 240). Oak Boys in 1763; Hearts of Steel, 1771-73.

² *View, etc. of Ireland*, p. 122.

Britain, without whose protection it could not have existed for a day. The assumption by the Parliament of the right to lavish the produce of the taxes among its own creatures and dependants under the pretence of public works; and to withdraw from the revenue immense sums for the payment of preposterous and destructive bounties, introduced an epidemic of corruption unknown in any other country. The example offered by an Assembly which called itself Legislative, spread like a blight through the small and dominant caste, which alone was in a position to share in the plunder. Peculation and jobbery were universal, and were to be found in every department of the State, even in charitable institutions,¹ and such bodies as the Dublin Society.² The accounts, which we have from authorities which cannot be doubted, are almost incredible. "Under colour," says Lord Macartney, "of rebuilding or repairing barracks, prodigious sums of money are daily thrown away. When one chain of barracks has been finished according to a well-considered plan, a new idea totally different is perhaps entertained; other barracks must be built, and an extraordinary charge is incurred. No sooner is this scheme established, than a third is offered, entirely contrary to the two former; private solicitation is employed, the service of the public yields to the interest of the individual, and the last project is adopted and executed. Thus expense is perpetually accumulated on expense, barrack demolishes barrack; and the labour to rebuild goes hand and hand with the labour to destroy".³ Canals were excavated through bogs where there were no towns to furnish com-

¹ "Even among the charitable institutions the practice of jobbery has been conspicuous" (*View, etc., of Ireland*, p. 33).

² A scandalous job by this society is mentioned in Caldwell's *Debates*, pp. 303, 304.

³ *Account of Ireland*.

modities for transport. In 1779, fourteen miles of the Grand Canal had been finished "for the benefit of eels and skating" at a cost of "above three hundred thousand pounds, by some accounts half a million".¹ Arthur Young, when in Ireland, was there told that the canal was "a job; 'twas meant as a job; you are not to consider it as a canal of trade, but as a canal for public money".² Newenham says, that in 1800 it had cost three hundred thousand pounds more than the stupendous canal of Languedoc "and infinitely more than it ought to have cost".³ For twenty years, the revenue was administered by Ponsonby, the greatest of the Undertakers, during which time the charge of management increased £50,000 a year.⁴ This gentleman appointed his friends and supporters to every office connected with its collection. The salaries alone of these officers, without incidental expenses, amounted to a tenth of the gross revenue of the kingdom.⁵ Lord Townshend tells us that in one year, 1769, the revenue suffered a loss of between £12,000 and £13,000 on an East Indian vessel, the cargo of which was landed in Cork harbour, and £10,000 in the tobacco duty.⁶ The abuses in the collection of the inland excise were so great "by the confession of the whole kingdom" that Arthur Young recommended a total change in its administration.⁷ Great frauds existed in the collection of the hearth-money; as was shown by the fact that, though the population had trebled since the reign of Charles II., and the wealth of the country had quadrupled, this tax had only risen from £42,000 in that reign to £60,000 in 1776.⁸ The returns of the collectors

¹ Arthur Young, ii., pp. 125-29.

² *Ib.*, p. 129.

³ *View, etc., of Ireland*, p. 202.

⁴ Lord Macartney, *Account of Ireland*.

⁵ Clarendon, p. 92.

⁶ *Cal. Home Office Papers*, 1766-69, p. 497.

⁷ *Tour in Ireland*, ii., pp. 223, 230.

⁸ Campbell, *Append.*, p. 414; Howard, *Revenue of Ireland*, i., p. 91.

of this tax always "fell infinitely short of the truth".¹ In 1786, even after sworn officers had been appointed, and the frauds of several collectors punished, houses to the number of two hundred thousand were suppressed.² "Enormous frauds" were perpetrated in obtaining the bounty on the inland carriage of corn. In some instances the bounty was paid three times over on the same corn, and in many twice; even corn which had received the bounty as having been brought coastways also received the land carriage bounty.³ The bounties on fisheries and those on corn stands were equally abused.⁴ The jobbing by Grand Juries, both in the North and South, was proverbial. "The chief object of Grand Juries," says Lord Townshend, "is to dispose of the county cesses as best suits their party views and private convenience. The sums raised by these gentlemen throughout the kingdom do not amount to less than £130,000 per annum, which is levied upon the tenantry, the lower classes of which are in a state of poverty not to be described".⁵ Captain Erskine, speaking of the North, says "it is equally notorious what use is made by Grand Juries of the power given them to levy cess for making roads and bridges. Jobs upon jobs, the one more infamous than another, serve to support the interest of some leading men in the country".⁶ Even the Linen Board, which was established to encourage the principal export of the nation, was made a means of impoverishing the country. Large bounties were continued

¹ Newenham, *Population of Ireland*.

² Commissioner Bushe, *Transactions of the Royal Irish Academy*, iii., p. 145.

³ Clarendon, *Revenue of Ireland*, Appendix, p. 16. *Parliamentary Debates*, i., p. 230. Letter of the Commissioners of Revenue to the Lord-Lieutenant. 10 *Commons' Journals*, Appendix, p. 471.

⁴ Arthur Young, ii., pp. 191, 245.

⁵ *Calendar Home Office Papers*, 1770-2, p. 457.

⁶ *Ib.*, p. 486.

long after bounties had ceased to be necessary,¹ and the sums granted to the Board of Trustees were misappropriated. In the four years ending with 1780, out of annual grants amounting to about £24,000, the money, unaccounted for or not properly accounted for to the Trustees by the secretaries to the Board, was £36,709.² While this universal jobbery and speculation were going on, the Dublin Parliament was clamouring about the pension list which they might have reduced by a vote, the poverty of the country, the burden of the Establishment, etc., without bestowing a thought on the real causes which were beggaring the kingdom, or on a peasantry which was always on the brink of starvation.

During the interval we have been considering, the Roman Catholics obtained some relaxation of the rigour of the Penal Code. In 1774, an Act was passed which enabled them to attest their loyalty before a magistrate, and to sign a declaration prescribed in the Act.³ The declaration renounced all allegiance to the Stuart family, and repudiated the doctrines that it was lawful to murder or destroy heretics, that no faith was to be kept with them, that princes excommunicated by the Pope might be deposed or murdered by their subjects, and that the Pope was possessed of temporal or civil jurisdiction within the realm. Four years later this Act was followed by another,⁴ which enabled them, provided they took the Oath and subscribed the declaration just mentioned, to hold and enjoy leases for any term not exceeding 999 years. The

¹ "It is idle and visionary to suppose that a fabrick which has employed a fourth part of the kingdom for seventy years, and exports to the amount of a million and a half annually, wants boards and bounties, and premiums, and impertinence to support it" (Young, *Tour*, ii., p. 213).

² Newenham, *View of Ireland*, p. 116.

³ 13 and 14 Geo. III., c. 35.

⁴ 17 and 18 Geo. III., c. 49.

Act also provided that the conformity of the eldest son should not alter the estate of the parent, and that the lands then in the possession of Roman Catholics should for the future be descendable and devisable as fully and effectually as if the same were in the possession of any other of the King's subjects.

CHAPTER XV.

FROM 1773 TO THE SETTLEMENT OF 1782.

FOR nearly ninety years the members of the Irish Parliament had been fretting under the control of British statutes, and desirous to free themselves from what they considered a degrading subordination. The American War, and the alliances it gave rise to, were now about to furnish them with an opportunity of exacting their independence from the Power which protected them. Since the union of her two crowns, Great Britain never was so low as during the four years which preceded 1782. In 1776 America proclaimed her independence. Two years later France concluded an offensive and defensive alliance with the new United States, and agreed not to make peace without the joint consent of the contracting parties. In 1779, Spain declared war against Great Britain, and in the same year the united fleets of France and Spain, consisting of sixty-six sail of the line and numerous frigates, rode in the Channel, and an invasion was daily expected. In 1780, a Confederacy, known by the name of the Armed Neutrality, was entered into by Russia, Sweden, Denmark and Prussia, for the purpose of enforcing maritime rules which would have allowed all nations to supply the enemies of Great Britain with provisions and munitions of war. And finally, in 1781, war was declared against the Dutch, who had concluded a secret treaty with the United States, and opened their ports at home and in their West Indian pos-

sessions to American privateers. In 1780, 1781 and 1782, the memorable siege of Gibraltar was still undecided, and Great Britain had not an ally in Europe, except Portugal, nor was there a port open to her from the Baltic to the Mediterranean except Lisbon, until the general peace in the beginning of 1783.

From the year 1773, in which an absentee tax was rejected, to the Declaration of Independence in 1782, the financial condition of Ireland fell from bad to worse. In the former year, £265,000 was borrowed.¹ For the two years ending at Lady Day 1775, the expenditure exceeded the revenue by £247,797.² In 1777, £166,000 was borrowed. At the commencement of the session 1779-80, it was found that the revenue had declined £220,000 from the produce of the two preceding years.³ In 1781, the expenses of the Establishment for the two years ending at Lady Day in that year, exceeded the produce of the revenue by above £480,000.⁴ Though in 1778 Great Britain had relieved Ireland from paying her troops serving abroad, a saving of at least £60,000 a year,⁵ the country was bankrupt. In this year, the Lord Lieutenant stopped payments at the Treasury, and suspended all pensions civil and military. In the following year, Great Britain was obliged to send over £50,000 to pay the army in Ireland, the Latouche Bank having declined to advance £20,000 to the Government to enable the troops to encamp. While the country was sinking deeper and deeper into debt and distress, the squandering of its resources was continued by the Parliament. During the ten years from 1773 to 1782 inclusive, a sum of

¹ Clarendon, p. 109.

² *Ib.*, p. 111.

³ *Ib.*, p. 112.

⁴ *Ib.*, p. 113.

⁵ *Parliamentary History*, xx., p. 638. In 1781 Flood stated in the Irish Commons that the saving in four years had amounted to £300,000 (*Irish Debates*, i., p. 39).

£613,816¹ was thrown away in the bounty on the inland carriage of corn alone, leaving out all the other bounties and premiums. In December 1781, Mr. Foster stated in Parliament, that the bounties for the two years ending at Lady Day in the same year, exceeded the sum of £220,000, that is, £110,000 in each year.² If this sum be taken as the annual average, and there be added to it the losses caused indirectly by the bounty on the inland carriage of corn, which Arthur Young estimated at £143,000 a year,³ and a further sum of at least £100,000 a year which might have been saved in the collection of the taxes, we shall gain an idea of what Ireland might have been if her resources had been honestly administered. Even without an absentee tax she would have been able to pay her way, and encourage her agriculture and manufactures: with such a tax she would have been rich.

As the Irish revenue declined and the national debt increased, it became necessary to impose fresh taxes under the name of additions to the existing duties. These pressed heavily on an exhausted country. In 1776, the necessity of war compelled the Government to lay an embargo on the exportation of provisions from Ireland, and of corn from England. The Irish embargo,⁴ and the decay of the linen trade consequent on the rupture with the American colonies, aggravated the distress of the country. In 1778, the impoverishment of Ireland, shown by the diminution

¹ The yearly expenditure on this bounty is given in Newenham's *View, etc., of Ireland*, Appendix, p. 5.

² *Irish Debates*, i., p. 136.

³ See his chapter on the Inland Bounty.

⁴ Mr. Lecky repeats the slander that this embargo was imposed in favour of a few English contractors. A little reflection would have reminded him that an embargo was also placed on English corn, and that Great Britain opposed the Armed Neutrality to prevent the conveyance of provisions, etc., to her enemies.

of her revenue and of British exports to that country, attracted the attention of the Imperial Parliament. In April of that year, the British Commons resolved themselves into a Committee of the whole House to take into consideration the several Acts relating to the trade and commerce of Ireland. The Committee determined to relax the commercial code for the purpose of encouraging Irish trade, and with this view passed resolutions to the following effect: that all the products of Ireland, her woollens excepted, might be sent direct to the British colonies, and that all the products of the colonies except tobacco might be imported direct to Ireland; that glass manufactured in Ireland might be exported to all countries except England; that the duties on Irish cotton yarn might be repealed; and Irish sail cloth imported into Great Britain.¹ These resolutions were favourably received by both sides of the House, and bills were framed to carry them into effect; but the trading and manufacturing towns of Great Britain were alarmed at the proposals. Petitions poured into the House against granting to Ireland advantages which might affect British trade, and it was thought expedient to make a compromise between the opposers and supporters of the bills. Notwithstanding this outburst of commercial jealousy, two Acts were passed towards the end of the session which conferred substantial benefits on Irish trade. The Navigation Act was relaxed, and all ships built in Ireland were henceforth to be considered British built; an Act of Anne had opened the colonies to Irish white and brown linen; now, all her linen of whatever kind, coloured, chequered, etc., was allowed to be sent thither; as also her bar iron and ironware,

¹ This last provision was unnecessary, as the liberty of importing Irish sail cloth was already established by a law of long standing. Burke, who introduced the bill to allow the importation of this cloth, admitted his mistake in the House, saying he had discovered that such a law was already in being (*Parliamentary History*, xix., p. 1,115).

provided her Parliament imposed a certain duty on them; and cotton yarn, the manufacture of Ireland, was admitted duty free into England.¹ These concessions were not considered satisfactory in Ireland, and in some places associations were entered into against the importation of British commodities and for the encouragement of Irish manufacture.

Meantime a new and startling phenomenon had made its appearance in Ireland. In the session 1777-8, a Militia Act was passed,² but the extravagance of the Parliament had reduced the country to such a state of poverty that the act could not be put into operation. At this time, American privateers swarmed on the coast, and when it was known that France had entered into an alliance with the United States, an invasion was feared. The town of Belfast, which eighteen years before had experienced a foreign descent, took the alarm, and as early as April, 1778, two companies of volunteers were there raised to repel a landing.³ The townsmen were further encouraged in their endeavours by a letter, received from the Government in the following August, informing them that there were three or four privateers on the coast, and that, as the troops were chiefly stationed in the southern counties, no substantial assistance could be immediately granted.⁴ The example set by Belfast spread throughout the country, and an army unauthorised by law and uncontrolled by Government sprang into existence under the name of Volunteers. At first, the Volunteers formed themselves into independent companies wholly unconnected with each other, and consisting generally of sixty or eighty men in each locality. In this stage the

¹ 18 Geo. III., cc. 55, 56 (British).

² 17 & 18 Geo. III., c. 13.

³ *Belfast Historical Collections*, p. 139.

⁴ It is commonly stated that this letter gave rise to the first volunteers. This is not correct. Two companies had been enrolled four months before it was written.

highest title known among them was that of captain. They soon, however, coalesced into battalions, each with a different uniform, and the higher titles of colonel and general were adopted. The original movement was eminently spontaneous and patriotic, but, as the fear of invasion did not last long,¹ they turned their attention to political matters. As early as 1779, the doctrine that Ireland was not bound by English or British statutes, and that her Parliament was independent, prevailed among them. This was the natural result of the close connection between them and that Assembly. All their higher officers were members either of the Lords or Commons, and from them they imbibed the ideas and aspirations which had been working in the Irish Parliament since its restoration in 1692. Episcopalians took the lead in the new army, and that community was peculiarly bound to the Parliament, inasmuch as it was among its members that the resources of the country were squandered in jobs and grants of money. It may be said that they owned the Parliament as their own peculiar and separate possession, the Presbyterians being practically and the Roman Catholics entirely excluded. The Parliament resolved to make use of the Volunteers, not that the members of either House ever dreamt of drawing a sword against Great Britain, for they knew too well that without her protection all they held dear would be endangered, and the government of Ireland pass into other hands. They hoped by a show of force to extort a recognition of their legislative independence from her, weakened, solitary and depressed as she then was.

The Irish Parliament met on the 12th of October 1779, and on the following day the Commons drew up an address to the King, declaring "that it is not by temporary ex-

¹ Rodney's victory over the Spanish squadron, off Cape St. Vincent; in February, 1780, dissipated the fear of an invasion.

pedients, but by a free trade alone that this nation is now to be saved from impending ruin".¹ At the same time, a resolution was passed that the members, with their Speaker at their head, should attend the Lord Lieutenant, and request him to lay their address before the King as the act of the House. Accordingly, on the 14th, the Volunteers of Dublin under arms lined the streets as the Commons passed through their ranks to present their address. The King's answer to it, which arrived on the 1st of November, satisfied the Commons,² but was very far from having that effect on the Volunteers and populace of the city. Three days later, that is, on the 4th, the Volunteers of Dublin and the adjacent districts paraded round the statue of King William in College Green under the command of the Duke of Leinster. The pedestal was covered with such devices as "relief to Ireland", "a short money bill", "fifty thousand prepared to die for their country" etc., and two cannon stood beside the statue with the inscription on each "a free trade or this". On the 15th, a vast mob armed with swords and pistols attacked the house of the Attorney-General, who had censured the demonstration of the 4th, and, not finding him there, proceeded to the Parliament House, where they compelled each member, as he drove up, to alight and swear to vote for a short money bill and against fresh taxes. The next day, the ruffled Commons passed resolutions against assaulting, insulting, or menacing any member for his behaviour in Parliament, and against tumultuous assemblies hindering or promoting any bill or other matter before the House, and petitioned the Lord Lieutenant to issue a proclamation offering a reward "for

¹ *Commons' Journals*, pp. 10, 12.

² "Resolved, *nem. con.*, that an humble address be presented to his Majesty to return our most sincere thanks to his Majesty for his most gracious answer to the address of this House" (*Ib.*, p. 17).

the discovery of the persons so assembled or of such persons as may have excited and encouraged them thereto".¹

The cry of the mob was taken up in Parliament. On the 24th, Grattan moved "that at this time it would be inexpedient to grant new taxes," and the motion was carried by 170 to 47. On the 27th, the Commons agreed to resolutions limiting the supplies to six months instead of two years. The nation was at this time liable to the payment of life annuities at the rate of 6 per cent. for the sum of £400,000, and also to other annuities at the rate of 7½ per cent. for the further sum of £300,000. Common justice required that the duties set apart for the payment of these loans, on which the credit of the country depended, should be continued for the usual period, but the Irish Commons did not take this view, and the loan duties were only granted for six months.²

The peace of Ireland required that the demands of her Parliament should be conceded. At the commencement of the session of the Imperial Parliament in November 1779, addresses were presented to the king by the Lords and Commons praying him to take into his most serious consideration the distressed condition of Ireland. On the 13th, Lord North in a committee of the Commons brought forward his proposals in favour of Irish trade; to repeal the Acts which prohibited the exportation of Irish woollens, and of her glass manufactures, and to grant free trade with the colonies on equal terms with the merchants of Great Britain. Bills founded on the two first proposals were framed and passed immediately. The third was postponed till after Christmas, as being a matter of complexity, on which it was desirable to consult with the Parliament in Ireland. Early in the following year it also became law.

Thus all the demands of the Irish Parliament were

¹ *Commons' Journals*, x., p. 27.

² *Ib.*, p. 36.

conceded. As the Irish woollen manufactures were now allowed to be exported, the international compact of 1698 fell to the ground. Great Britain might, with justice, have discontinued her differential duties in favour of Irish linen, which were a source of great annual loss to herself, and also her bounty on its exportation from England. By merely placing Irish linen on the same footing as foreign, she would have destroyed the exportation of Ireland's principal staple. But she acted more generously and continued her favours to that manufacture, and in addition granted a free trade with her colonies. This was a great and unexampled boon. In every nation of Europe the mother country was considered to possess an exclusive right to trade with her colonies, and to forbid all other nations from having any intercourse with them. As Lord North said, such an exclusive right was of the very essence of colonisation, for no nation would spend its blood and treasures to establish a colony and protect it in its infant state, if other countries were to reap the fruit of its labour, hazard and expense.¹ Before her Union with England, Scotland admitted that she had no claim to share in the colonial trade as long as she continued separate. But the Irish Parliament felt no gratitude for a gift which no other nation would have made, nor for the continuation of the protection of the linen trade.

A few weeks after the colonial trade had been opened,² Grattan moved "that the King, with the consent of the Parliament of Ireland, was alone competent to enact laws to bind Ireland". In the debate which ensued, two members only, the Attorney and Solicitor-General, supported the legislative supremacy of Great Britain. Though the general voice was against the binding effects of English

¹ *Parliamentary History*, xx., p. 1,279.

² 19th April, 1780.

or British statutes, the House adjourned, having agreed that the proceedings should not be entered on its journals.

The speech of Grattan on this occasion merits attention. He thus described the relative position of Great Britain and Ireland at that time. "England now smarts under the lesson of the American War . . . her enemies are a host, pouring upon her from all quarters of the globe; her armies are dispersed; the sea is not hers; she has no minister, no ally, no admiral, none in whom she long confides, and no general whom she has not disgraced; the balance of her fate is in the hands of Ireland; you are not only her last connection, you are the only nation in Europe that is not her enemy. With you every thing is the reverse; never was there a Parliament in Ireland so possessed of the confidence of the people; you are the greatest political assembly now sitting in the world; you are at the head of an immense army." He then advised Ireland "to continue in a state of armed preparation, dreading the approach of a general peace, and attributing all she holds dear to the calamitous condition of the British interest in every quarter of the globe". If, while reading these words, we consider that Grattan himself¹ and all whom he addressed, were convinced that the Protestant Parliament and the Protestant colony could not exist without the protection of Great Britain, we may well wonder at the extravagance of the speaker. To call a Parliament, which could not defend itself without the protection of another State, the greatest political assembly in the world; and to invite that Parliament to exult in the misfortunes of the protecting Power, was a mixture of folly and baseness rarely equalled.

¹ "Mr. Grattan acknowledged himself to be perfectly of opinion with his right honourable friend (Mr. Daly) that Ireland could not exist as a Protestant State but for the protection of Great Britain" (Woodfall's *Report of the Debate on the Commercial Propositions*, 1785, p. 189).

The doctrine that Ireland was not bound by British statutes gave rise to very dangerous consequences. The British Mutiny Act, which included Ireland, could not be enforced, and magistrates refused to act under it. The Irish Parliament was resolved to have a Mutiny Act of its own, and to assume the power of regulating the army, although a British law for the same purpose was in existence. Accordingly, heads of a bill "for punishing mutiny and desertion, and for the regulation of the army" were introduced into the Commons in May, and passed in June with the title changed to "Heads of a bill for the better accommodation and regulation of His Majesty's army in this kingdom".¹ Having been sent to England, it was returned in August with the provision limiting its duration to two years struck out, thus making it perpetual.² On the 16th of the same month, a motion was made that the part expunged in England should be restored. Grattan supported the motion, and declared that the bill, if passed as it had been returned, would render the army independent of Parliament, and reduce Ireland to a state of slavery; and that too, at a time when the Volunteers were daily reviewing and parading. Notwithstanding his efforts, and though he threatened to secede from Parliament and appeal to the people, the bill passed by a great majority.³

Grattan's fears were chimerical. The Irish Act differed greatly from the British Act. The latter granted an army to the Crown, assigned the money for its maintenance, and regulated its conduct. The Irish Act did not grant a single soldier, or a shilling for the payment of the army, but merely

¹ *Commons' Journals*, x., p. 152.

² In consequence of the acceptance by Great Britain of this bill, the name of Ireland was left out of the British Act next year. Fox objected to the omission (*Parliamentary History*, xxi., p. 1,292).

³ *Grattan's Life*, ii., pp. 97, 125.

regulated the conduct of the soldiers. The grant of men and of the money to support them was effected by the bills which granted supplies.¹ It is not therefore true that the perpetual Mutiny Act placed the government of the army beyond the power of Parliament.² The Act was a dead letter until the Parliament had granted a certain number of men and the funds to maintain them, thus calling an army into existence. If the Parliament had declined to renew the sessional grants of men and money, there would have been no army upon which the Act could have worked. As the Parliament created the army, it necessarily possessed the power of dissolving it at the commencement of every biennial session. As to the objection of its being perpetual, it is obvious that a law, depending upon another limited in duration, could not itself be properly considered as perpetual.

With the Mutiny Bill, another for regulating the sugar trade was also returned from England with alterations. The original bill had imposed a duty of 12s. 6d. on every hogshead of refined sugar imported from Great Britain. This duty was reduced in England to 9s. 2½d.³ Notwithstanding the alteration, the bill became law, to the great indignation of the Volunteers and the Irish refiners, for whose protection the larger duty had been inserted in the bill. The acceptance by the Parliament of the two amended bills gave rise to a serious quarrel between that Assembly and the Volunteers of Dublin, who met and denounced the

¹ *Irish Debates*, i., pp. 54-70.

² "A perpetual Mutiny Act passed, thus placing the government of the army beyond the power of Parliament" (Lecky, iv., p. 514). Mr. Lecky is also mistaken in stating that the Irish Bill was originally limited to one year. The Session of Parliament was biennial, and the bill was, therefore, also biennial.

³ See the petitions of the Sugar Refiners, *Commons' Journals*, x., pp. 186-191.

majority which had passed the altered bills. The resolutions at these meetings were brought before the Commons, and were voted to be "false, scandalous, seditious and libellous, grossly aspersing the proceedings of Parliament, and most manifestly tending to create discontent amongst his Majesty's subjects, to withdraw them from their allegiance to the laws of the realm, and to subvert the authority of the Legislature of the kingdom". The Commons also petitioned the Lord Lieutenant to give orders for the effectual prosecution of the printers and authors of "those infamous publications" when discovered.¹

In February of this year, 1780, a bill to secure the independence of the Judges was sent over to England, but was not returned. Later in the session, a motion that leave be given to bring in heads of a bill to modify Poynings' law was defeated.² By far the most important Act passed in this session was a short one consisting of one clause, by which the long continued civil disabilities of the Presbyterians were removed.³ A clause to the same effect had been inserted in the Roman Catholic relief bill of 1778, but was struck out in England. This has been attributed to a desire to punish the Presbyterians for their sympathy with the American colonies, but it is far more likely that it proceeded from a fear that its retention would endanger the bill. Ever since the reign of Anne, the British Government had been endeavouring to induce the Irish Parliament to abolish these disabilities, and a sudden change of front on the question is most improbable. It was known that there were two factions in the Irish Assembly, one unwilling to make concessions to the Roman Catholics, the other hostile to the Presbyterians, which might unite to wreck the bill. In 1778, the Government was sincerely

¹ *Commons' Journals*, x., pp. 194, 195.

² *Ib.*, x., p. 114.

³ 19 and 20 Geo. III.. c. 6.

desirous to afford the same relief to the Irish, which they had just granted to the English, Roman Catholics. Lord North spoke strongly on this subject in the British Commons; "he declared he would with all his heart concur in any measure that could tend to answer so desirable an end [indulgence to the Roman Catholics of Ireland], but it was not their province; it was the province of the Parliament of Ireland; the laws which were so severe against the Roman Catholics had originated there, and redress of domestic grievances should of right originate likewise from them".¹ These words were spoken on the 7th April, 1778, and in the following June, the Irish adopted the example of the Imperial Parliament.²

The state of the Irish finances in the year 1780 was lamentable. On the 24th of May, the Speaker informed the Lord Lieutenant in his address that the Commons had "borrowed a sum of £610,000 to discharge the arrears of the Establishment".³ This payment of debts which ought never to have existed, and which were the result of the wilful mismanagement of the national resources by a Parliament which represented only a privileged class, has been perverted into the most liberal grant ever made to the Crown, and a concurrence of all parties "for the support of the general interests of the Empire".⁴

The session was closed on the 2nd of September 1780 by a prorogation to October in the same year, and by further prorogations to October in the following year.

During the first nine months of 1781, the volunteers were busy organising their forces, establishing co-operation

¹ *Parliamentary History*, xix., p. 1,112.

² Yet Mr. Lecky assures us that the relief of the Irish Roman Catholics was not due to the Government, but to the independent members of the Irish Parliament (iv., p. 477).

³ *Commons' Journals*, x., p. 142.

⁴ Lecky, iv., p. 512.

between the different corps, and holding reviews. In September, on a report of an intended invasion, they offered their services to the Government. When the Parliament met on the 9th of October,¹ it became at once clear that a great change had come over that Assembly. The renunciation by Great Britain of her legislative supremacy, implied in her acceptance of an Irish Mutiny Act and the omission of the name of Ireland from the British Act, showed to the majority of the Commons that she acquiesced in the claims of the Irish Parliament. The members of this Assembly were satisfied with what they had wrung from the necessities of Great Britain. Many of the leading men were alarmed by the language held outside the walls of Parliament, and by the fact that the country was in the hands of armed politicians. The chief agitator among them, the Duke of Leinster, had, shortly before the commencement of the session, offered his support to the Government,² and the House itself displayed "much good temper towards his Excellency and Mr. Secretary, and a disposition towards Great Britain less suspicious than was ever known, and tending almost to cordiality".³ During the entire viceroyalty of Lord Carlisle, which lasted from the beginning of 1781 to April 1782, the Commons manifested a strong disinclination to follow the counsels of Grattan and Flood, and every measure proposed by them was rejected by large majorities. Grattan was a narrow fanatic, who believed that the independence of the Irish Parliament was a panacea for all the evils of the country. But Flood was thoroughly unscrupulous, without convictions, save those which centred

¹ From the commencement of this session we have reports of the Irish debates up to 1800.

² *Beresford Correspondence*, i., p. 148. The duke also about this time moved a resolution in the Lords against further agitation.

³ Eden to Lord North, *Ib.*, i., p. 174.

in himself. Some time before the 3rd of September, Flood was informed by the chief secretary that the great office of Vice-Treasurer would be taken from him,¹ and from that time he displayed the greatest animosity to the Government, exerting himself on every occasion to excite a jealous distrust of Great Britain, and to foment suspicion of her intentions. Though he was frequently taunted with his former silence and his present zeal, his inordinate vanity would not allow him to see the ill-concealed contempt of the House.²

On the 8th of November, when the order of the day, for the House to resolve itself into a committee of supply, was read, Flood moved that the order should be adjourned. He then entered upon a long statement deploring the condition of the country, recapitulating the popular questions on which he had formerly opposed the Government, and claiming the credit of a disinterested attachment to the people. Flood was obliged to explain away some expressions he had made use of, and was defeated by 155 to 49.³

On the 13th of the same month, Grattan moved that leave be given to bring in heads of a bill to explain, amend, and limit the Mutiny Act. The motion was seconded by Flood. Grattan said that he rose to vindicate Magna Charta, and called upon the House to teach British privileges to an Irish Senate, but he did not advance a single solid argument against the existing Act, nor did he attempt to show that it granted either soldiers or money to the Crown. Flood was still more unhappy. His arguments went against the introduction of a new or any mutiny bill

¹ Eden to Lord North, *Beresford Correspondence*, i., p. 181.

² On one occasion Flood compared himself to a lion shaking the dew-drops from his mane (*Irish Debates*, i., p. 311).

³ *Irish Debates*, i., pp. 38-44; Lord Carlisle to Lord North, *Beresford Correspondence*, i., p. 182.

whatever. When it was objected that his arguments proved too much, he was weak enough to rise and say "that he did not mean to use the arguments in their full extent". The general feeling was well expressed by another member: "All the eloquence and abilities of the House could not persuade dispassionate hearers, that a bill to regulate an army, which at the same time did not levy or maintain a single soldier, could be a proper subject for mistrust or indignation". Grattan's motion was rejected by 133 to 77.¹

Flood thought that he could succeed where Grattan had failed. Accordingly on the 29th, though the matter had been already considered and settled in the session, he moved "that a law of indefinite duration, with the aid of the hereditary revenue, was repugnant to the principles of the British constitution". But on its being pointed out that this would be a resolution of one branch of the legislature against the law of the land, he withdrew his resolution and brought forward a substantive motion, "that leave be given to bring in heads of a bill for punishing mutiny and desertion, and for the better payment of the army and their quarters". The motion was contrary to the rules of Parliament, and was rejected by 146 to 66.² It was on this occasion that the Attorney-General convulsed the House by his story of the parish clerk, Harry Plantagenet, reflecting on Flood's long silence, while in office, and his present clamorous opposition. The Attorney said, that his story applied "to every man who cannot be quiet without expense or angry without rebellion".

Yelverton had given notice that he would bring forward a motion respecting Poynings' law on the 5th of December. In the meantime news had arrived of the surrender of Lord Cornwallis at Yorktown on the 19th of the previous

¹ *Irish Debates*, i., pp. 51-70; *Commons' Journals*, x., p. 251.

² *Irish Debates*, i., pp. 106-19; *Commons' Journals*, x., p. 270.

October. Yelverton, with great good feeling, immediately deferred his motion, and proposed that an address should be presented to the King, expressing unalterable loyalty and attachment to his person and government. Amendments to the address were moved by Flood and Mr Ogle. But the House was in no humour to listen to amendments. Flood's was negatived without a division, and Ogle's was rejected by 167 to 39. The original motion was then put and carried by 167 to 37, Grattan being one of the tellers for the minority.¹

On the 7th of December, Grattan moved "that a committee be appointed to inquire into the state of the public expenses, and the best means of retrenching the same". Retrenchment of expenditure was of all things the most necessary for Ireland. A month before this motion of Grattan, the House had resolved that the national debt amounted to £1,551,704, and that in addition "the nation is liable to the payment of certain life annuities at the rate of £6 per cent. for a sum of £440,000, and . . . to the payment of certain other life annuities at the rate of £7 10s. per cent. for a further sum of £300,000".² If a competent man had introduced the motion, some good might have been effected; but, unfortunately, Grattan was incapable of acquiring exact knowledge either in financial or commercial matters. He started with two great blunders. He compared the expenditure in time of war with that in peace, and included in the expenses of Government the sums granted by Parliament in premiums and bounties, though the Government had no control whatever over the latter. Grattan's motion was negatived by 143 to 66.³ In this debate, two remarkable statements were made and not contradicted. Foster, in his

¹ *Commons' Journals*, x., p. 270; *Irish Debates*, i., pp. 119-129.

² *Commons' Journals*, x., p. 243.

³ *Ib.*, x., p. 273; *Irish Debates*, i., pp. 131-149.

answer to Grattan, asserted that the bounties for the two years ending at Lady Day 1781, exceeded £220,000, and a son of Hutchinson declared that the whole cost of the civil Establishment was less than the sum spent on bounties by £20,000 a year.

Flood, restless under the indifference of the House, and desirous of regaining his old popularity, resolved to anticipate Yelverton's motion respecting Poynings' law. On the 11th, he moved that a committee should be appointed to examine precedents, records, and other evidence touching that law, and also the Act of Philip and Mary explaining it. Flood was defeated by 139 to 66. When, a few days later, Yelverton introduced his motion, it passed without a division.¹

An outside Parliament was now about to make its voice heard. On the 28th of December, the officers of the Southern battalion of the first Ulster regiment met, and having declared that they beheld with the utmost concern the little attention paid to the constitutional rights of Ireland by the majority in Parliament, they invited every Volunteer Association throughout Ulster to send delegates to deliberate on the alarming situation of public affairs, and fixed on the 15th day of February, 1782, for a meeting of the delegates at Dungannon. In response to this invitation, representatives of 143 corps of Ulster Volunteers met on the day appointed, and adopted numerous resolutions declaring the independence and finality of the Irish Legislature. They also addressed a letter to the minority in Parliament, thanking them for their noble efforts in defence of the rights of the country, and informing them that "the almost unanimous voice of the people is with you".² Encouraged by the

¹ *Commons' Journals*, x., p. 275; *Irish Debates*, pp. 147-170; *The Debates make the minority* 67.

² *Belfast Historical Collections*, pp. 180-185.

support of the Volunteers, Grattan, on the 22nd of the same month, moved an address to the King, declaring the rights of Ireland and suggesting a renunciation of the legislative supremacy claimed by Great Britain.¹ But the House was satisfied with the concessions already made, and when the Attorney-General proposed to adjourn the consideration of the address to the month of August, the motion passed by 137 to 68.²

It was evident that the House would not assent to a declaration of rights. Its members were afraid of rousing Great Britain, and of turning her long-suffering forbearance into indignation. In reading the account of the so-called struggle for independence, we must remember that by far the greatest part of it was mere fustian and bravado. The revolt of the little Episcopalian colony was eminently unreal. The individuals composing that community knew in their hearts that England had held, and that Great Britain now held, them in the hollow of her hand, and that they owed to her everything they possessed, their estates, their seats in Parliament, and their ascendancy. No declamation could hide from them the fundamental fact that Great Britain was the paramount protector of both the Protestant colonies,

¹ Grattan's constitutional arguments on this occasion were absurd. He quoted the words of an English Act embodied in an Irish statute, as expressive of the wishes of an Irish Parliament, though that Parliament, in the embodying statute, declared that the English Act was intended to bind Ireland (28 Henry VIII., c. 21, s. 19). And also quoted two alleged early Irish Acts, which no one had ever read, the only evidence of their existence being a statement of Sir Richard Bolton that he had once seen an exemplification of them in the treasury of Waterford. Grattan's arguments were taken from a treatise of Patrick Dovery, who was a member of the Rebel Council at Kilkenny in 1641. It was from this source also that Molyneux derived his arguments. It is evident that no argument can be drawn from the Acts of a provincial assembly, which, up to the time of Henry VII., was entirely in the hands of Lord-Lieutenants or Deputies, and only assumed a Parliamentary form in the reign of James I. In addition, it must be remembered that three conquests subsequently took place, each giving rise to a new order of things.

² *Commons' Journals*, x., p. 307; *Irish Debates*, i., pp. 262-276.

more especially of the weaker one, which in 1647 was unable to defend Dublin against the Irish, and in 1688 was scattered as chaff before the wind. A short consideration of the possibilities which might have happened, leaving out that of a fourth conquest, will show us that Great Britain was the Supreme Power which defended them, and enabled them to hold their position in a country, where the vast majority of the inhabitants were hostile to them. If Great Britain, whose legislative authority they were now disclaiming, had repealed the English Act¹ which excluded Roman Catholics from their Parliament, and had opened the counties, cities and boroughs to that community, a very short period would have seen the end of a Protestant Parliament; and the insincere oratory of rhetoricians with no political foresight would have been silenced for ever. Where then, it may be asked, would have been the challenge that Ireland was not bound by British laws, in the presence of three millions of Roman Catholics resolved to uphold the opposite doctrine and the new policy. Or, if Great Britain had withdrawn her protection and left Ireland to herself, the Roman Catholics would have called in a foreign Power, and the Protestant constitution would have vanished like a wreath of smoke. Or, thirdly, if the great confederation against Great Britain had been successful, and she had been obliged to cede Ireland to France or Spain, the Roman Catholics would have been entrusted with the government of the country, and would have set at nought every Act, English, British or Irish, which secured to the Protestants their rights and estates. All these things were not hidden from those who were now vapouring about their indefeasible rights. Like undutiful children, they were forward to play on the indulgence of the mother, and to press her with demands in her distressed condition, but their fears restrained

¹ 3 Will. and Mary, c. 2.

them within well-defined limits. The idea of fighting for their independence never occurred to them. Lord Clare, who, when a commoner, was an advocate for the independence of the Dublin Parliament in 1782, afterwards declared, "I can assert with perfect confidence that no gentleman of Ireland would at that day have drawn his sword against Great Britain".¹

Three days after Grattan had been defeated, Flood brought forward the same question in an altered form. On the 25th of February, he declaimed on the rights of Ireland and then moved "that this House is the only Representative in Parliament of the people of Ireland". An amendment was proposed for the purpose of defeating the motion, *viz.*, to prefix to it the words "that it is now necessary to declare". This was carried, and the amended motion, "that it is now necessary to declare that this House is the only Representative in Parliament of the people of Ireland," was put and negatived by 132 to 76.²

On the 14th of March, 1782, the House adjourned, Grattan, who knew that Lord North's government was breaking up, having carried a call of the House for the 16th of April. Six days after the adjournment of the House, Lord North in the British Commons announced that his ministry was at an end,³ and Lord Carlisle, the most popular and respected viceroy since the revolution, was recalled. The Duke of Portland was sent over to replace him, and arrived in Dublin on the 14th of April, two days before the re-assembling of the House. The new ministry desired a further adjournment of a fortnight or three weeks, to enable the Duke to become acquainted with the present state of Irish affairs, and to consult with the leading men of

¹ Speech, 10th Feb., 1800.

² *Commons' Journals*, x., p. 307 ; *Irish Debates*, i., pp. 277-80.

³ *Parliamentary History*, xxii., p. 1,215.

the country.¹ Their object was, to arrive at a final and complete settlement of all the questions between the two countries, and to establish their connection on a broad and permanent basis to the mutual satisfaction and the reciprocal interests of both.² But Grattan, who had nothing of the constructive statesman in his composition, hurried the matter forward, and refused to grant any time for consideration. When the House met on the 16th, Hutchinson, who was then Secretary of State, delivered the Lord Lieutenant's message in the King's name, "His Majesty, being concerned to find that discontents and jealousies are prevailing among his loyal subjects of this country upon matters of great weight and importance, recommends it to this House, to take the same into their most serious consideration in order to make such a final adjustment as may give mutual satisfaction to his kingdoms of Great Britain and Ireland." George Ponsonby then proposed that an humble address should be presented to the King, thanking him for his message, and assuring him that the Commons would immediately proceed to consider the objects he had recommended. Grattan moved an amended address, demanding the complete independence of the Irish Parliament, and the repeal of the 6th of Geo. I.³ The amended address was adopted unanimously. Shortly after, the King communicated the address of the Irish Commons, and a similar one from the Irish Lords, to the Imperial Parliament, and the obnoxious Act was repealed.⁴

Thus, to use the language then and now prevalent, Ireland gained her independence; but the truth is, that

¹ Lord Rockingham to Charlemont, 9th April, *Manuscripts and Correspondence of Lord Charlemont*, i., p. 53.

² *Ib.*

³ The first proposal to repeal this Act was made in the British Commons on 25th Jan., 1780, by the fanatic Lord George Gordon (*Parliamentary History*, xx., pp. 1,312-14).

⁴ By the 22nd Geo. III., c. 53.

Ireland, if that term means the inhabitants of the island, had very little to do with the transaction. What had taken place really amounted to this: the Episcopalian Parliament, which practically represented only a small dominant and privileged caste, had obtained a free hand to govern Ireland according to its lights. The members of that caste had an immediate and private interest in the maintenance of a Parliament which distributed among them, in some form or other, a large portion of the general taxes, and encouraged a system of extravagant profusion. There was not one of them, possessed of a vote, or any influence in the numerous boroughs scattered over the country, who might not hope to share in the spoils of corruption. This was, with many of them, the ground of their attachment to their local Parliament, and of their desire that its action should be wholly uncontrolled. Hence it is, that we find among them a constant and steady opposition to its incorporation with the Imperial Parliament, though no such feeling existed among the Presbyterians and Roman Catholics, who had nothing to lose by the change. It required a rebellion, with its development in the South into a war of religion, to convert a majority of them to the belief that a Legislative Union was necessary for the peace of the country.

The demand for independence was put forward on false pretences. It was advanced in the name of the Irish nation. But the vast majority of the inhabitants of the country were strangers to the claim. One alone of the three communities which dwelt in Ireland, namely, the small body of Episcopalians, had made the demand. Having obtained the independence they desired, they declined to extend the advantages of the concession to the Roman Catholics, who were then eight times more numerous. As if to manifest to the world that the benefits of the new measure were to be exclusively their own, they hastened to

pass an Act,¹ which had been drawn by Grattan and two others, which provided that all clauses in English Acts relating to oaths and declarations should be in force in Ireland. By this provision, the English Act of William and Mary, which excluded Roman Catholics from Parliament, was extended to Ireland. "Spirit of Swift, spirit of Molyneux," exclaimed Grattan, "your genius has prevailed; Ireland is now a nation!" But what a nation! if that term could be applied to a country inhabited by three discordant communities, between which there was no bond of union whatever.

Some excellent Acts were passed in this session. Two granted further relief to the Roman Catholics, who were now allowed to purchase and bequeath lands as Protestants, to open schools, and to become guardians to children of their own denomination.² Marriages celebrated by Presbyterian clergymen were legalised,³ and a body of Dissenters in Ulster, called Seceders, were granted the privilege of taking an oath by lifting up the right hand.⁴ The Bank of Ireland was established.⁵ As appendant to the new constitution, Ireland was to have a Mutiny and a Habeas Corpus Act of her own, and the independence of the Judges was secured.⁶ Poynings' law was modified in the following manner: All bills, approved of by both Houses of Parliament, and none other, were to be certified by the Lord Lieutenant for transmission to England under the great seal of Ireland "without addition, diminution or alteration," and such bills, if returned unaltered, were to pass in the Parliament of Ireland, but no Parliament was to meet, until a licence for that purpose had been obtained from the Crown under the Great Seal of Great Britain.⁷

¹ 21 & 22 Geo. III., c. 47.

² 21 & 22 Geo. III., cc. 24, 62.

³ C. 25.

⁴ C. 57.

⁵ C. 16.

⁶ Cc. 43, 11, 50.

⁷ C. 47.

CHAPTER XVI.

THE SETTLEMENT OF 1782—SIMPLE REPEAL—REVOLT OF THE VOLUNTEERS AGAINST THE PARLIAMENT—THEIR CONVENTION — CONDITION OF IRELAND IN 1783 AND 1784—DEMAND FOR A COMMERCIAL UNION.

THE Settlement of 1782, which established a more incomplete connection between Great Britain and Ireland than had existed before, was as defective as the wit of man could devise. Under it, there was but one tie between the two countries, namely, the identity of the Executive. For we may leave out of account the power of refusing to place the Great Seal on an Irish bill, as the exercise of that negative would at once have caused a collision between the two kingdoms. The right of the Crown to refuse its assent to a bill which had passed both Houses had fallen into disuse in England, and it was not likely that it would be exercised in Ireland. After 1782, there was no unity whatever between Great Britain and Ireland save that of the Executive, and the two Parliaments might have differed on every important matter. Nothing was settled between the two nations, except that the legislative supremacy of the more powerful was given up, and every question between them was left to the humour or passion of the hour. The two Parliaments were equal and co-ordinate, without any paramount authority to regulate them, or reconcile their differences, and the Empire, though in theory one and indivisible, had two wills and two voices. There was no provision for securing uni-

formity of action in affairs of Imperial concern, such as the regulation of trade and commerce between Great Britain and Ireland, their transactions and intercourse with foreign States, the declaration of war and its conduct, or the negotiation of peace. The Parliament in Ireland claimed perfect internal and external legislative powers, though it is hard to see how the expression "external legislation" could be applied to a Parliament which was unable to defend a single harbour of the nation it governed, or resent an injury done to an individual of that nation outside its borders or on the high seas. Yet, powerless as that Parliament was, there was hardly a matter in which it might not have thwarted or injured Great Britain. As Pitt said "a party in England might give to the throne one species of advice by its Parliament: a party in Ireland might advise directly opposite upon the most essential points that involved the safety of both; upon alliance with a foreign power for instance; upon the army, upon the navy, upon trade, upon commerce, or upon any point essential to the empire at large."

The history of Scotland furnishes us with an example of the evils resulting from a partial and incomplete connection between a rich and powerful nation and one inferior in wealth and power. Scotland, though differing greatly from Ireland in possessing an ancient and independent crown of her own, had once stood to England in such a position. Both kingdoms acknowledged the same king, but their Parliaments were separate, and the only bond between them was the identity of the Executive. This relation produced constant irritation and national animosities which disturbed and weakened the Empire. The discontent of the Scots came to a head in the early part of the reign of Anne. While England was at war with France, the Parliament of Scotland manifested a strong inclination to the latter country, and passed an Act removing restrictions on the importation of

French wines. A year later it passed another, the Act of Security, which provided that, in case of the Queen's death without issue, the successor to the Scottish Crown should not be the same person that was possessed of the English Crown, unless before that event the rights and liberties of Scotland had been settled independent of English interests. The English Parliament retaliated by passing an Act declaring the natives of Scotland, with certain exceptions, aliens, unless their country should settle its crown on the House of Hanover, by the 24th of December in the next year. In addition, twenty-four men of war were fitted out with orders to seize all Scottish vessels trading with France. Everything portended a war, but fortunately both kingdoms saw that two independent Parliaments were incompatible with their common safety, and sank their differences in an incorporate union.

It is the nature of all such imperfect connections to generate jealousy, suspicion, and finally hostility, in the inferior country. The weaker nation, being subordinate in the Empire, is obliged to witness a perpetual ascendancy and control in all its affairs. The Executive, being only responsible to the Parliament of the superior nation, necessarily partakes its sentiments, and carries them into every department of the concerns of the inferior country, and the latter is always conscious of a real dependence which produces chagrin and resentment. The sense of subordination irritates and begets a constant desire to throw off the predominant influence of the more powerful partner. Hence arise attempts of the inferior to assert itself, and to weaken the control which is the necessary consequence of its own inequality of power. Complaints are made of the superior encroaching on or denying the rights of the other, and obstruction is offered to the action of the Executive. Demand of redress succeeds demand, and concessions, instead of exacting grati-

tude, are received as rights long denied, each, as it is granted, giving rise to a new claim. The leading men in the inferior Parliament, being excluded from the consideration of Imperial matters, become narrow and parochial, with views limited to their own country. Its constitutional claims occupy their attention so largely that they neglect both the welfare of the people they govern, and the wider interests of the Empire. Repining at the visible signs of their subordination, they strain every effort to raise their local Parliament to an equality with that of the superior nation, and to strike off link after link of their dependence, or, as they term it, to free their country from the yoke of foreign interference. The connection being partial, the interests of the two nations must in many respects be different. This difference further increases their alienation, and produces fresh causes for dissensions. Gradually the tie between the two countries is loosened, every trivial discontent is magnified into a cause of quarrel, and distrust and enmity take the place of loyalty to the connection. A relation of this kind inevitably leads, sooner or later, to one of three things—separation, war or incorporation.

All the tendencies and symptoms we have enumerated are to be found in the connection which had existed between England and Scotland, and in that between Great Britain and Ireland. They are inseparable from all partial and imperfect relations, and attend them as the shadow does the body. They were manifested by the Scottish Parliament and people before the union with England, and by the Irish Parliament and the small community it represented, both before and after 1782. In the latter country, they were aggravated by the nominal independence obtained in this year; for nothing causes so much heart-burning as an unsubstantial independence side by side with real subordination. If Ireland, instead of being a mere geographical expression,

had represented a homogeneous and united people, the final result would soon have made its appearance. But there was a circumstance connected with that country which prevented or delayed it. The members of the Episcopalian community lived in fear of their fellow citizens. They might fret and fume, and hurl defiance against Great Britain, but they dared not move. Behind them stood a vast multitude seething with hate and disaffection, and eager to avenge the sufferings of more than a century. Grattan, and a small group as short-sighted as himself, felt the weakness which this division caused, and were anxious to end it by opening the Parliament to the Roman Catholics. If their policy had been adopted, the government of Ireland would soon have passed into the hands of that body, and a Roman Catholic Parliament, assisted by and in co-operation with France, would have confronted Great Britain. One of two things must then have happened: Ireland would have become a province of France, or a fourth conquest would have placed her in a still more subordinate position to Great Britain.

One feature of the Irish Parliament must be kept in mind when we feel inclined to censure the lavish grants of peerages, pensions, and offices to its members. In Great Britain, when a Parliamentary opposition became more numerous than the party which supported the Ministry in possession, the former simply took the place vacated by the latter, and the business of the country went on as before. A change of ministers was effected, but no interruption occurred. It was wholly different in the Irish Parliament. There, the Opposition was permanent and not liable to change. If it obtained a majority, it was impossible for the Government to carry on the public service unless in complete subservience to it. The supplies would not have been voted until the demands of the Opposition had been conceded. A continuance of such refusal would have amounted to a real

separation between the two countries, or at least a system of perpetual contests would have been inaugurated. A concurrence between the Government and the Parliament was absolutely necessary, and needed to be maintained at all cost, if the connection was to continue. The Irish Parliament was corrupt beyond example, and the only means of securing a working majority lay in appealing to the private interests of its members. With such a Parliament in existence it may be asked, in what other manner, than by a large distribution of titles, pensions and places, could the government of Ireland have been carried on.

For a very short time after the grant of independence, Grattan was the idol of the Volunteers, and was hailed as the deliverer of his country. But his "hated rival," as Lord Charlemont calls Flood, soon re-appeared on the scene and snatched the laurels from his brow. Flood started the idea that Grattan had not effected anything, and that the mere repeal of the statute of George I. was totally inadequate to secure the legislative rights of the Irish Parliament. He argued that, as the 6th of George I. was a declaratory law, its repeal left matters as they originally stood before its repeal, and that nothing short of an express renunciation by the British Parliament of its claim to legislate for Ireland was sufficient. "It is an undeniable principle of law," he said, "that the mere repeal of a declaratory Act does not renounce the principle of it, and it is also clear to common sense, that nothing but a final renouncing of the principle of the law is adequate to our security".¹ On the 14th June, 1782, he moved that the opinion of all the judges should be taken on the question "does the repeal of the Declaratory Act amount in legal construction to a repeal or renunciation of the legal principle on which the Declaratory Act grounded itself?"² The motion was negatived, the order of the day

¹ *Irish Debates*, i., p. 240.

² *Ib.*, i., p. 429.

having been moved and carried. Flood again returned to the subject, and on the 19th of the following month, moved for leave to bring in heads of a bill affirming the sole exclusive right of its Parliament to make laws for Ireland in all matters, internal and external.¹ This motion was rejected without a division. Thereupon, Grattan moved as extraordinary a resolution as ever was proposed in any Parliament, *viz.*, "that any person who should propagate in writing or otherwise an opinion that any right whatsoever, whether external or internal, existed in any other Parliament, or could be revived, was inimical to both kingdoms".² This resolution appeared so monstrous to the House that Grattan withdrew it, and proposed the following which was carried: "that leave was refused to bring in the bill, because the sole and exclusive right to legislate for Ireland in all cases whatsoever, internally and externally, has been asserted by the Parliament of Ireland, and has been fully, finally, and irrevocably acknowledged by the British Parliament."

The doctrine of Flood, so contemptuously treated in the House of Commons, was ardently accepted by the Volunteers. The lawyers' corps appointed a committee to consider the subject, and the committee supported Flood's pettifogging suggestion. Though, only two months before, 306 companies of the Ulster Volunteers, in an address to the King, had declared, that they would consider a repeal of the 6th of George I. "a complete renunciation of the principle hostile to the rights of Ireland," and the National Committee for the provinces of Leinster, Munster and Connaught, had concurred in this declaration,³ the whole body now demanded an express renunciation. Every part of the kingdom was convulsed with a fresh agitation, and Flood was the hero of the hour. Grattan's popularity vanished, his reputation was

¹ *Irish Debates*, i., p. 455.

² *Ib.*, i., p. 467.

³ Wilson's *Volunteers*, pp. 267-68.

assailed and the safety of his person endangered.¹ The man, whose character in the preceding May had been held up by the Volunteers "as the object of peculiar commemoration and distinguished national reward," and whose services had been rated as superior to those of Marlborough,"² was now become "almost universally odious, and, in proportion as Grattan was debased, Flood was exalted".³ Early in the following year, the Parliament of Great Britain, to throw dust upon the angry insects, passed an Act declaring that the right claimed by Ireland to be bound only by laws enacted by the King and Parliament of that nation, in all cases whatever, was established and ascertained for ever.⁴

No sooner was this agitation quieted than another and far more serious one arose, which was nothing less than a revolt of the Volunteers against the Parliament. The Volunteers had not disbanded when Rodney's great victory in April 1782 had dissipated the last fear of an invasion, nor at the time when a general peace had been concluded early in 1783. They had been so flattered and extolled within Parliament and without, and so many inflammatory appeals had been made to them, that they had come to regard themselves as the saviours of their country and superintendents of its constitution and Government. The Ulster regiments had imbibed the principles of democracy and republicanism from the Presbyterians, of whom they were largely composed, and it was among them that the new agitation commenced. Having obtained from Great Britain the independence of their Parliament, abolition of the restrictions on their commerce, a share in the colonial trade, the appellate jurisdiction, and a mutiny act of their own, they turned

¹ *Grattan's Life*, iii., pp. 31, 137.

² "Address of the Committees of Ulster and Connaught to the Volunteers of those Provinces," 28th May, 1782 (*Wilson's Volunteers*, p. 264).

³ *Charlemont Manuscripts, etc.*, i., p. 66.

⁴ 23 Geo. III., c. 28.

their attention to a reform of their Parliament, and the subversion of the constitution which they had just gained. The Irish Parliament at this time was, to the small community it represented, almost exactly in the same situation as the Parliament of Great Britain; that is, the propertied classes governed the country, and returned a majority to the Commons. On the 1st July 1783, representatives of forty-five corps met at Lisburn, and resolved, that a general meeting of Volunteer delegates of the province of Ulster should be held at Dungannon on the 8th of the following September, to consider the subject of a more equal representation of the people.¹ A committee was appointed at this meeting which issued an address to the Volunteers throughout Ulster, and opened a correspondence with the English promoters of Parliamentary reform. This committee also applied to Lord Charlemont, asking him whether he thought the Volunteers should interfere in the following subjects, *viz.*, shortening the duration of Parliaments, exclusion of pensioners, limiting the number of placemen, and a tax on absentees.² Charlemont was greatly alarmed at this wide field of reform, and advised them to confine their efforts to a reform of Parliament. The Dungannon meeting was held on the day appointed, and consisted of delegates from 269 Ulster corps. Throwing Charlemont's advice to the winds, they passed twenty-one resolutions unanimously, among which were the following: that the elections of representatives in Parliament had been for centuries annual and the suffrage universal, and that every approach to these fundamental principles tended to a renovation of the constitution; that the franchise should extend to all those likely to exercise it for the public good; that the present imperfect representation and long duration of Parliaments

¹ *Belfast Politics*, p. 228.

² *Charlemont Manuscripts, etc.*, i., p. 113; *Belfast Politics*, p. 242.

were unconstitutional and intolerable grievances ; that the people had a just and inherent right to correct abuses in the representation ; and that the representatives ought not in future to consent to bills of supply for a longer period than twelve months, nor more than six months until complete redress of grievances had been obtained. A specific plan of reform having been produced and read, they further resolved that it should be referred to the consideration of a Grand National Convention to be held in Dublin on the 10th of the following November. They also issued an address to the "Volunteer Armies of the provinces of Munster, Leinster and Connaught", calling on them to mature in their provincial assemblies an extensive plan of reform to be produced at the National Convention, "as the solemn act of the Volunteer Army of Ireland: as a demand of rights, robbed of which, the unanimated forms of a free constitution would be a curse, and existence itself cease to be a blessing".¹

Concurrently with these proceedings, Parliamentary elections were going on throughout the country. The former Parliament had been dissolved in July, and a new one summoned for the 6th of September, but, before that day, was prorogued to the 14th of October. The question of Parliamentary reform was new in Ireland, and had never been considered or debated in Parliament. It was now adopted by the Volunteers purely in imitation of the movement in England. Without waiting to see whether or not the new Parliament was hostile to reform, and without obtaining a single petition in its favour, the Volunteer Army of Ireland, as its members loved to describe it, resolved to take the matter into its own hands. The electors of the kingdom had just chosen their representatives; yet the

¹ *Belfast Politics*, pp. 233-40.

Volunteers, separating themselves both from the people and the Parliament, elected representatives of their own to sit in a military parliament, and decide a novel question which had never been submitted to the constitutional parliament. This was revolution and the beginning of anarchy. A collision between the two Assemblies was inevitable. If the Parliament had accepted the dictation, and registered the decrees of the Volunteer Convention, its own authority would soon have disappeared, for the victory of the Convention would have been the annihilation of the Parliament.¹ An armed body of men, self-appointed and independent of the State, sitting in an Assembly to which they gave the title of National, would easily have found reasons for perpetuating their session. Other matters than reform would certainly have been laid before them, and the business of the country would gradually have passed into their hands. Or, if the present plan of reform proposed by them should be found inadequate or incapable of being worked, another convention would be called to correct it, and thus convention would succeed convention to the disuse and contempt of Parliament, and the constant fluctuation of the constitution.

The Grand National Convention assembled in Dublin on the day appointed by the Dungannon Assembly. Lord Charlemont was elected President. The delegates first met in the Exchange, but there being no room in that building sufficiently large, they marched two and two to the Rotunda, the streets being lined by the Dublin Volunteers who re-

¹ This was the opinion of Fox. "Unless they (Volunteers) dissolve in a reasonable time, Government, and even the name of it, must be at an end. . . . If they are treated as they ought to be—if you show firmness, and that firmness is seconded by the aristocracy and Parliament—I look to their dissolution as a certain and not very distant event; if otherwise, I reckon their Government, or rather Anarchy, as firmly established as such a thing is capable of being, but your Government is certainly completely annihilated" (Letter to the Lord-Lieutenant, 1st Nov., 1783, *Grattan's Life*, iii., p. 106).

ceived them with presented arms and colours flying. The Convention at once adopted all the forms of a regular Parliament, appointing committees, receiving reports and petitions, and printing their debates.¹ From every quarter, a multiplicity of visionary schemes of reform were poured into it, some absurd, some ingenious, and all impracticable. "Hundreds of plans," says Charlemont, "were sent in, of the wildest and most ridiculous nature. Every schemer laid before them the crude production of his shallow understanding, and the farrago of matter was such as absolutely to confound the members".² At length "after the toilsome confusion of many days" Flood was added as assessor to the committee which had been appointed to consider the different schemes. All the other plans were rejected, and Flood produced his own, which, after some debate, was adopted, "not so much for its intrinsic merits, its manifold defects being even then apparent to all men of judgment, as from the extreme difficulty of framing any other to take its place".³ Some even thought that Flood's scheme, notwithstanding his comments and explanations, was the most unintelligible of all.⁴

Flood's plan was a chaos of absurdities. It professed to be a scheme for a "more equal representation of the people," yet it left out three millions of the people. It designed an enlargement of the suffrage, yet it disfranchised every non-resident freeholder in Ireland who was not possessed of an estate of £20 per annum in land, thus striking off many thousands of electors; it swept away at a blow every charter which granted the franchise to boroughs: it disqualified the whole body of potwallopers, who voted in right

¹ The *Dublin Evening Post* was appointed for this purpose (*Proceedings and Debates of the Volunteer Delegates*, Dublin, 1784).

² *Charlemont Manuscripts, etc.*, i., p. 129.

³ *Ib.*

⁴ *Belfast Politics*, p. 252.

of residence, unless they had among them in each town a certain number of electors qualified in the manner required by the plan; it proposed to extend the small boroughs to the adjacent baronies or parishes. If to baronies, this proposal would in some cases have given a forty shilling freeholder eight votes, while a man of large property residing in a barony in which there were no boroughs, would only have had two votes for the county. Thus the barony of Gowran contained three boroughs, and a forty shilling freeholder in it from one freehold would have had two votes for each of the boroughs and two for the county. If, on the other hand, the borough had been extended to the adjacent parishes, the only effect would have been to transfer the borough interest, and vest it in the neighbouring landlord. The scheme also proposed triennial Parliaments.

When the plan was agreed to after three weeks' debates, Flood proposed to the Convention, that he, accompanied by the members of Parliament who were present, should at once go down to the House of Commons, and move for leave to bring in a bill, corresponding in every respect to the plan, and that the Convention should not adjourn till the fate of his motions was ascertained. Both proposals were acceded to. This was a complete and open avowal of a rival legislature co-existing with the Parliament and possessing equal authority. The proceeding resembled bringing up a bill from one House of Parliament to the other. Charlemont, to avoid a conflict between the Convention and Parliament, had desired that the delegates of the Convention, having been previously dissolved, should carry down the plan to their respective counties, to be there considered, and, if approved, supported by petitions from the constituents. But Flood would not hear of delay. Accompanied by some members of Parliament, and dressed in his Volunteer uniform, he hurried down to the House the

same evening, and moved, prefacing his motion by saying that there were 50,000 men to support it, and 50,000 more if necessary,¹ that "leave be given to bring in a bill for the more equal representation of the people in Parliament". After a long debate, leave was refused by 157 votes to 77, on the ground that the bill came from an armed assembly. Immediately after its rejection, a resolution was moved that "it is now become indispensably necessary to declare that this House will maintain its just rights and privileges against all encroachments whatsoever," and passed by 150 to 68.² Grattan's action in this crisis was extremely discreditable. He urged the House to receive the bill proffered by the Convention, and a few minutes later voted silently for a resolution which was a slap in the face to the Convention. The conduct of Flood and Grattan on this momentous occasion furnishes us with an accurate gauge of the political capacities of these two men. Flood was the apostle of anarchy; Grattan was willing to subordinate the legislature of his country to an armed mob.

The rejection of their plan of reform was a death-blow to the Old Volunteers. All sensible men were alarmed at the language used in the Convention. Many in that assembly had declared that it was the true Parliament of the nation, inasmuch as its members had been delegated by the real voice of the people.³ It was generally felt that the continuance of an armed body independent of the Govern-

¹ It was stated in Flood's presence, and not denied by him, that he had used these words (*Irish Debates*, iv., p. 31). He had used similar language in the Convention. "Let 50,000 armed men, capable of calling 50,000 more, without the voice of faction, follow up their own principles" (*Proceedings and Debates of the Volunteer Delegates*, p. 113).

² *Commons' Journals*, ii., p. 144. At the same time an address was voted to the King, declaring the contentment of the Commons with the present Constitution, and their resolve to maintain the same inviolate.

³ *Proceedings and Debates of the Volunteer Delegates*, pp. 69, 115; *Belfast Politics*, p. 262.

ment was injurious to the interests of the nation. This opinion manifested itself in the House of Commons when a resolution, declaring that the Volunteers had been useful to the country, was proposed. An amendment was moved to add to the resolution the following words "and that this House highly approves the conduct of those who, since the conclusion of the war, have retired to cultivate the blessings of peace," and was carried by 179 to 58.¹ The leaders and the men of property withdrew from the volunteers, and their example was followed by the rank and file, who returned to their farms and trades, but not until they had sown the seeds of sedition and disloyalty to the Parliament of their country. New levies from the lowest classes with revolutionary views took their place and assumed their name, or, as Grattan expressed it, the armed property of the nation was succeeded by the armed beggary. The change from the Old to the New was very rapid. As early as January 1785, Grattan deplored the transformation,² and in March of the same year, Charlemont wrote that the ranks of the Volunteers were defiled with the scum of the people.³ In Dublin, the new volunteers showed a very dangerous and seditious spirit. Grattan, speaking of them in the Commons said that "the nation had been solicited to rise". Other members stated that, when the magistrates called on the Volunteers to suppress riots, they had declined to move; that many, calling themselves Volunteers, took pay by the day; that men who had been disowned by the true Volunteers were arming themselves; and that invitations had been issued to the dregs of the people to attend drills and form into corps. The Attorney-General declared that he had seen resolutions inviting the French into the country; that one corps had voted every Frenchman of character an

¹ *Commons' Journals*, ii., p. 354.

² *Irish Debates*, iv., p. 41.

³ *Charlemont Manuscripts, etc.*, ii., p. 19.

honorary member; and that the Roman Catholics were invited, contrary to the law, to arm themselves, and to reform the constitution in Church and State.¹ In the North, similar symptoms were manifested by the new levies. The Belfast First Volunteer Company passed a resolution "that we invite to our ranks persons of every religious persuasion, firmly convinced that a general union of *all* the inhabitants of Ireland is as necessary to the freedom and prosperity of this kingdom, as it is congenial to the constitution".² Another corps in the town concurred in this resolution. In Belfast and its neighbourhood, subscriptions were opened to purchase arms and uniforms for those who could not afford to buy them, and it was hoped that this measure would add 10,000 men to the Northern Army, and 25,000 to the national force.³ The Northern corps lingered on with diminishing numbers, but with increasing disaffection, until March 1793, when a proclamation forbade all unlawful assemblies. From this period, the Northern Volunteers ceased to parade, or appear in military array,⁴ after having proclaimed the principles which gave rise to the United Irishmen, associations of whom had been established as early as the latter part of 1791 both in Dublin and Belfast.

In the year following that in which the National Convention had met, the bill, which had been approved in that assembly, was again introduced by Flood though under a different name.⁵ On the 13th of March 1784, he moved "that leave be given to bring in a bill to remedy certain de-

¹ *Irish Debates*, iv., pp. 41, 226, 279-94.

² *Belfast Historical Collections*, p. 293.

³ *Ib.*, p. 292.

⁴ *Belfast Politics*, p. 411. A previous proclamation against seditious and unlawful assemblies in the county and city of Dublin had been issued on 8th Dec., 1792 (*Commons' Journals*, xv., Append., p. 308).

⁵ Flood himself stated that it was the same bill. "When this bill," he said, "was formerly introduced into this House, it was argued that it ought to be rejected as originating with the Volunteers" (*Irish Debates*, iii., p. 79).

fects in the representation of the people in Parliament". This time, Flood had obtained twenty-six petitions from counties, of which some were only in favour of the general idea of reform.¹ Leave was granted, as the bill did not proceed from an external assembly, and was read a second time. On the motion for its committal it was fully debated, and all its absurdities exposed.² Grattan voted for its committal, though he declared "that it never could be carried into effect". The motion was negatived by 159 to 85.

Later in the same year, an attempt was made to convoke another convention under the name of a National Congress. Napper Tandy, and twelve other inconsiderable citizens of Dublin, styling themselves the Committee of the Aggregate Meeting of the inhabitants of Dublin, associated themselves for this purpose. They despatched letters to all the sheriffs in Ireland, enclosing an address to the people on the subject of Parliamentary reform, and requesting the sheriffs to convene the inhabitants of their bailiwicks to consider the same, and to elect delegates to a National Congress to assemble in Dublin on the 25th of the following October. But by far the ablest and clearest headed man in the Irish Parliament was then Attorney-General. Fitzgibbon at once prosecuted by attachment the Sheriff of the County of Dublin, for presuming to call a meeting to elect delegates to the Congress at the time he was an officer of the Crown.³ This example sufficed. Only one other sheriff complied with the summons of the self-appointed committee.⁴ The Congress, when it did meet, was a miserable fiasco. Flood attended, and

¹ *Irish Debates*, iii., p. 69.

² *Ib.*, pp. 43-85.

³ The affidavit, upon which the attachment was grounded, stated that "the Sheriff did elect five delegates, and pledge himself and the freeholders and inhabitants of the county to support with their lives and fortunes whatever plan such Congress should determine on" (*Irish Debates*, iv., p. 369).

⁴ *Ib.*, iv., p. 408.

revealed his plan of reform, but, as the plan did not include Roman Catholics, it did not give satisfaction, and the Congress broke up without effecting anything.

It would be impossible to exaggerate the miserable condition of Ireland in the years 1783 and 1784, when these schemes of reform were put forward. Neither the abolition of commercial restrictions, nor a share in the Colonial trade, had brought relief to the country. The Volunteer movement had been eminently unfavourable to industrial production and thrift; immense sums had been squandered by the nobility and gentry on the pageantry and pomp of military parade; the farmers had left their fields, and the artisans their work, to attend the drills, the reviews, and the political meetings of the Volunteers. Exertion had been universally relaxed, and trade was at a standstill. In addition, the harvest of 1783 had been insufficient. The distress in the country was universal.¹ In the North, every species of grain was dear, and a sudden rise in the price of oats and barley had given very grave cause to apprehend a scarcity. This was the more serious as oats was the grain upon which its inhabitants chiefly depended. To prevent such a misfortune, the Commons on the 26th of January 1784, presented an address to the Lord Lieutenant requesting him to take such measures as would guard against a scarcity of oats and barley.² In consequence of this address, the Lord Lieutenant on the next day issued a proclamation, forbidding the exportation of oats, oatmeal, and barley from any ports in the kingdom.³ In the south and west, the destitution was very great. As early as November 1782, the Lord Lieutenant had laid an embargo on all ships laden, or to be laden, with

¹ *Irish Debates*, iii., pp. 122, 127.

² *Commons' Journals*, xi., p. 181. *Irish Debates*, ii., p. 347.

³ 23 and 24 Geo. iii., c. 37. An Act indemnifying those who had acted under this proclamation.

potatoes or any kind of corn, in grain, meal, flour, or made up in bread, biscuit, or starch, and in the June following the Privy Council advised the Lord Lieutenant to signify to all port collectors to accept bonds from the importers of foreign grain, instead of demanding the dues in money.¹ These extraordinary measures were sufficient, as the Lord Lieutenant stated in his speech of the 14th October 1783,² to avert absolute famine, but great and general distress still continued. In February 1784, Mr. Dillon stated in the House of Commons that in Connaught there existed "the utmost danger of a famine,"³ and in the following April, a member thus described the condition of the South. "He would not wound the feelings of the Committee,⁴ even with a faint description of the present distressed and dejected state of the lower ranks of people in the Southern districts of this kingdom; it was sufficient to say that there did not exist upon the face of the earth a race of men in so abject and wretched a condition—he would not except the Esquimaux in North America, nor the Hottentots at the Cape of Good Hope."⁵ A few months after this statement was made, the Whiteboys again rose in insurrection, and proceeded to regulate wages and hearth money, to control the magistracy, and to deprive the clergy of their tithes, and the landlords of their rents. To the Whiteboys, the Rightboys succeeded, and for three years, the most fertile counties of the South were the scenes of anarchy and outrage.

In Dublin the destitution was extreme. Multitudes of famishing wretches were daily to be seen, faintly crawling through the streets.⁶ "Twenty-five thousand souls were

¹ 23 and 24 Geo. III., c. 10. Indemnifying all who acted under the order for an embargo, or under the advice of the Privy Council.

² *Irish Debates*, ii., p. 3.

³ *Ib.*, p. 359.

⁴ The House was then in Committee.

⁵ *Irish Debates*, iii., p. 133.

⁶ *Ib.*, ii., p. 23.

really starving".¹ In three manufacturing parishes there were twenty-one thousand poor. Private charity did a great deal, but it was wholly unable to cope with the distress. At length the Commons presented an address to the Lord Lieutenant, praying him to advance a sum of £3,000 for distribution among the poor of the city. When this address was proposed, a circumstance occurred which shows how general the pressure was. The members for Cork, Londonderry, Lismore, Dungarvan and Cavan urged that relief should be extended to these towns, and another member declared that the relief should be general, as the province in which he resided was on the brink of a famine.²

Contemporaneously with this general privation, there existed in the city of Dublin complete social anarchy. The barbarous custom of houghing soldiers, that is, hamstringing them, was so common that it became necessary to pass a special Act against it, making it punishable with death two days after sentence, and providing life pensions for the wounded soldiers.³ Persons were daily marked out for the operation of tarring and feathering, the magistrates neglected their duty, and the volunteers seemed to countenance the outrages.⁴ On the 5th of April 1784, a mob broke into the House of Commons, and having taken possession of the gallery, elected a Speaker from among themselves, and demanded that Mr Foster should be delivered up to their rage with a rope round his neck.⁵ At this time the press of Dublin was perhaps the most seditious and malignant in the world. No public man could do his duty without drawing on himself calumny and abuse. Infamous libels were daily published on the best men in the nation.

¹ *Irish Debates*, ii., p. 359.

² *Ib.*, pp. 351-60.

³ 23 & 24 Geo. III., c. 56.

⁴ *Correspondence between Pitt and Duke of Rutland*, p. 37.

⁵ *Manuscripts of the Duke of Rutland*, iii., p. 86.

No one was secure for an hour from having his character attacked by a hired slanderer.¹ "One paper," said Grattan, "teemed with exhortations and incitements to assassination, and daily published such matter as would not be suffered in any country existing". "No country," said another member, "was ever disgraced in the manner this has lately been; nothing less than essays in praise of murder, investigating the different means by which it may be perpetrated, and giving the preference to the poignard as the most certain and least dangerous to the assassin. There is no place in the world where incitements to murder would be permitted, and, if the mobs here commit murders, they must be attributed to the news-printers, who, not content with assassinating characters, now proceed to the shedding of blood".² To show the effect such newspapers had on the public mind, the Attorney-General made the following statement, "there is now a person in prison on an information, for having with others conspired and employed assassins to murder no less than seven members of this House. The conditions were, that the murderers should, upon performance of the business, receive a hundred pounds, and in the meantime, they were actually furnished with money, pistols, ammunition and bayonets. They were also instructed to use the latter weapon, because it would neither miss fire nor make a noise". As the law then stood, it was not required to register the name of a proprietor of a newspaper, so that it was impossible to discover the guilty. To remedy this defect, an Act was passed, providing that no person should print or publish a newspaper, until he had delivered to the Commissioners of Stamps the name and address of the owner.³

¹ *Irish Debates*, iii., pp. 159-67.

² *Ib.*, p. 167.

³ 23 & 24 Geo. III., c. 28. "An Act to secure the liberty of the press by preventing the abuses arising from the publication of traitorous, seditious, false, and slanderous libels by persons unknown."

In April 1784, a resolution was moved in the Commons "that it appears to this House that many of the working-people of this kingdom, in several branches of manufacture, are in extreme poverty and distress.¹ The truth of the fact mentioned in the resolution could not be denied, for every member had in his hands the report of a committee appointed to inquire into the state of the manufactures of the country.² England was then hedged round with very high duties on importation, except in the case of white and brown linen from Ireland, while the duties on goods imported from England into Ireland were small. The lowness of the Irish duties, the large capitals of the English merchants, which allowed them to give long credit, and the highly developed skill of their workmen, enabled them to undersell the Irish manufacturers in their own markets, and to swamp their infant industries. To encourage the latter, it was proposed in Parliament to establish protecting duties, but the majority in it, fearing that England might retaliate and withdraw the favour shown to Irish linen, rejected the proposal. At length in May 1784, at the close of the session, the Irish Parliament took the wisest step ever taken by that Assembly, and resolved unanimously to present an address to the King declaring that "they entertained the warmest hopes that the interval between the close of the present session and the beginning of the next would afford sufficient opportunity for forming a wise and well digested plan for a liberal arrangement of commercial industry between Great Britain and Ireland, to be then brought forward". And they assured his Majesty "that such a plan formed upon the broad basis of reciprocal advantage, would be the most effectual means of strengthening the Empire at large, and cherishing the

¹ *Commons' Journals*, xi., p. 258.

² See the Report in the Appendix to vol. xi. of the *Commons' Journals*. It contains a schedule comparing the English and Irish import duties.

common interest and brotherly affection of both Kingdoms.”¹

This address, coming from a petulant and self-complacent Assembly, must be considered as a cry for help. Extra-legal measures to avert famine, which required Acts of Parliament to indemnify those who had acted under them, general scarcity in the North, East and West, and destitution accompanied by insurrection in the South, had at last opened the eyes of the Irish Parliament to the true condition of the kingdom. The manufactures throughout the country, except that of linen, which owed its prosperity to the protection and favour of Great Britain, were declining. After the restrictions had been removed, the woollen manufacturers had made great endeavours to increase their exports, but these had almost ceased, and the trade was decaying, as were those of cotton, silk, sailcloth, leather and hosiery.² An alarming emigration had set in, and industrious workmen, such as spinners and combers, were daily leaving the country in hundreds.³ But though the Irish Parliament saw the signs of distress and decline wherever it turned its eyes, it was wholly incapable of remedying them. Economy in the administration of the national resources was the one thing needful for Ireland, but though plans of retrenchment were often proposed in Parliament, they were always rejected. The old system of jobbery and waste was continued. In the years 1782, 1783, 1784, upwards of £150,000 was thrown away on the absurd bounty on the carriage of corn to Dublin.⁴ Enormous sums, in proportion to the revenue, were given in bounties and premiums. In 1783, Lord Anally, in the Upper House,

¹ *Commons' Journals*, xi., p. 283.

² See Report on the State of Manufactures, *Commons' Journals*, xi., Appendix, p. 135, etc.

³ *Irish Debates*, iii., pp. 198, 217. See also Report on the State of Manufactures.

⁴ Newenham, *View, etc.*, Appendix v.

complained that though £300,000 had been borrowed, the public grants amounted to £230,000.¹ At this time the revenue of the country, exclusive of local taxation, amounted to £1,298,648, a sum which was totally inadequate to the expenditure sanctioned by the Commons,² and of which more than a third was spent on management, bounties and appropriated duties, and was withdrawn from the control of the Government. The cost of collecting this revenue had risen from £81,000 in 1758 to upwards of £219,000 in the year 1784-5, though the new taxes were only additional duties on articles taxed before, and therefore an increase in the number of collectors was not necessary. As was said

¹ *Debates in the Lords*, iii. ; *Irish Debates*, pt. ii., p. 82.

² Account of the revenue for the year ending Lady Day, 1785 :—

Net amount raised on the subject in Ireland, exclusive of local taxes - - - - -		£1,298,648	16	1
Deduct expenses of management - - - - -		306,601	13	1½
Clear amount passing into the Treasury - - -		£992,047	2	11½
Add the following :—				
{	Poundage and pells fees - - - - -	24,662	17	3½
	Four shillings on salaries, etc., of absentees - -	11,040	18	3½
	Casual receipts - - - - -	9,366	8	7½
Amount issuable at the Treasury - - - - -		£1,037,117	7	1½
Deduct net produce of appropriated duties - -		238,076	8	7½
Net sum applicable to the current expenses of the nation - - - - -		£799,040	18	6
Expenses for the same year :—				
Net charge of the Civil List - - - - -		187,145	0	8
Net charge of the military establishment - -		480,727	13	2
Extraordinary charges - - - - -		254,479	18	7
Total charge - - - - -		£922,352	12	5
Deduct net sum applicable to payment - - -		799,040	18	6
Deficiency on the revenue to discharge the expenditure - - - - -		£123,311	13	11

(Clarendon, pp. 90, 91).

in the House, "it was as easy for an officer to receive two shillings as one on any article".¹ It thus appears that the Irish revenue was collected at an expense of nearly seventeen per cent. One department of it, the stamp duties, was collected for nearly nineteen per cent. in this year. Though, as Lord Anally said, £300,000 was borrowed in 1783, yet in the same year the Commons rejected a bill for taxing absentees by 184 to 22.² Such a tax would at this time have added at least £120,000 a year to the revenue. While the country was in great distress, everything was done in the most costly way. Four thousand a year was added to the salary of the Lord Lieutenant, and two thousand to that of his secretary. Three new judges were appointed at an expense of £6,000 a year. The salary of the Irish Speaker was greater by £1,000 a year than that of the Speaker in the Imperial Parliament. Fifty thousand pounds was lent to the undertakers of the Grand Canal, and £32,000 to Captain Brook, who shortly after failed. A custom-house, far more extensive than that of London, and which³ was to cost £263,381,⁴ was begun; and, in the last half year of 1785, bounties were increased by £52,000. Though waste and extravagance were still further beggaring the impoverished kingdom, we are told that "the prosperity of the country was advancing, and the revenue was rising".⁵ The revenue of a country may rise in two ways; by the expansion of its trade and commerce, the taxes remaining unaltered. This is prosperity. Or it may rise from an increase of taxation, while its trade and commerce are decaying. This was the case with Ireland, and meant ruin and bankruptcy. It is

¹ *Irish Debates*, iii., p. 107.

² *Ib.*, ii., pp. 277-89.

³ Newenham, *View, etc., of Ireland*, p. 201.

⁴ *Irish Debates*, vii., p. 123. The Parliamentary Grants for bounties and premiums in 1785 amounted to £130,000 (*Ib.*, vii., p. 241).

⁵ Lecky, vi., p. 372.

well to compare this unfounded statement of Mr. Lecky with the language used in the Irish Commons in May, 1784, by the proposer of the address to the king: "While all Europe is rejoicing in the blessings of peace, and turning its thoughts towards manufactures and commerce, Ireland is plunged in the depth of despair and misery at finding herself incapable of deriving any benefit from the universal tranquillity, except by affording to her starving and industrious manufacturers more easy and frequent opportunities of flying into foreign countries".¹

¹ *Irish Debates*, iii., p. 215.

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CONTENTS.

	PAGE		PAGE
<i>BADMINTON LIBRARY (THE)</i> -	10	MENTAL, MORAL, AND POLITICAL PHILOSOPHY	14
BIOGRAPHY, PERSONAL MEMOIRS, &c.	7	MISCELLANEOUS AND CRITICAL WORKS	29
CHILDREN'S BOOKS	25	MISCELLANEOUS THEOLOGICAL WORKS	32
CLASSICAL LITERATURE, TRANSLATIONS, ETC.	18	POETRY AND THE DRAMA	19
COOKERY, DOMESTIC MANAGEMENT, &c.	28	POLITICAL ECONOMY AND ECONOMICS	16
EVOLUTION, ANTHROPOLOGY, &c.	17	POPULAR SCIENCE	24
FICTION, HUMOUR, &c.	21	<i>SILVER LIBRARY (THE)</i>	26
<i>FUR, FEATHER AND FIN SERIES</i>	12	SPORT AND PASTIME	10
HISTORY, POLITICS, POLITY, POLITICAL MEMOIRS, &c.	3	TRAVEL AND ADVENTURE, THE COLONIES, &c.	8
LANGUAGE, HISTORY AND SCIENCE OF	16	VETERINARY MEDICINE, &c.	10
<i>MANUALS OF CATHOLIC PHILOSOPHY</i>	16	WORKS OF REFERENCE	25

INDEX OF AUTHORS AND EDITORS.

	Page		Page		Page		Page
Abbott (Evelyn)	3, 18	Balfour (A. J.)	11, 32	Buckle (H. T.)	3	Corder (Annie)	19
— (T. K.)	14	— (Lady Betty)	5	Buckton (C. M.)	28	Coutts (W.)	18
— (E. A.)	14	Ball (John)	8	Bull (T.)	28	Coventry (A.)	11
Acland (A. H. D.)	3	Baring-Gould (Rev. S.)	27, 29	Burke (U. R.)	3	Cox (Harding)	11
Acton (Eliza)	28	Barraud (C. W.)	19	Burrows (Montagu)	4	Crake (Rev. A. D.)	25
Adeane (J. H.)	7	Baynes (T. S.)	29	Butler (E. A.)	24	Creighton (Bishop)	3, 4
Æschylus	18	Beaconsfield (Earl of)	21	— (Samuel)	18, 20, 29	Crozier (J. B.)	7, 14
Ainger (A. C.)	12	Beaufort (Duke of)	11	Calder (J.)	30	Curzon of Kedleston (Lord)	4
Albemarle (Earl of)	11	Becker (W. A.)	18	Cameron of Lochiel	12	Custance (Col. H.)	12
Allen (Grant)	24	Beddard (F. E.)	24	Campbell (Rev. Lewis)	18, 32	Cutts (Rev. E. L.)	4
Amos (S.)	3	Beesly (A. H.)	7	Camperdown (Earl of)	7		
Anstey (F.)	21	Bell (Mrs. Hugh)	19	Cawthorne (Geo. Jas.)	13	Dallinger (F. W.)	4
Aristophanes	18	Bent (J. Theodore)	8	Channing (F. A.)	17	Davidson (W. L.)	15, 16, 32
Aristotle	14, 18	Besant (Sir Walter)	3	Chesney (Sir G.)	3	Davies (J. F.)	18
Armstrong (G. F. Savage)	19	Bickerdyke (J.)	11, 13	'Chola'	21	Dent (C. T.)	11
— (E. J. Savage)	7, 19, 29	Bicknell (A. C.)	8	Cholmondeley-Pennell (H.)	11	Deploige (S.)	17
Arnold (Sir Edwin)	8, 19	Birt (A.)	21	Churchill (W. Spencer)	3, 21	De Salis (Mrs.)	28
— (Dr. T.)	3	Blackburne (J. H.)	13	Cicero	18	Devas (C. S.)	17
Ashbourne (Lord)	3	Bland (Mrs. Hubert)	20	Clarke (Rev. R. F.)	16	Dickinson (G. L.)	4
Ashby (H.)	28	Boase (Rev. C. W.)	4	Climenson (Emily J.)	8	— (W. H.)	30
Ashley (W. J.)	17	Boedder (Rev. B.)	16	Clodd (Edward)	17	Diderot	21
Atkinson (C. T.)	3	Boevey (A. W. Crawley)	7	Clutterbuck (W. J.)	9	Dougall (L.)	21
Avebury (Lord)	17	Bosanquet (B.)	14	Coleridge (S. T.)	19	Dowden (E.)	31
Ayre (Rev. J.)	25	Boyd (Rev. A. K. H.)	29, 32	Comparetti (D.)	30	Doyle (A. Conan)	21
		Brassey (Lady)	9	Conington (John)	18	Du Bois (W. E. B.)	4
		— (Lord)	3, 9, 12, 17	Conway (Sir W. M.)	11	Dufferin (Marquis of)	12
Bacon	7, 14	Bray (C.)	14	Conybeare (Rev. W. J.)	27	Dunbar (Mary F.)	20
Baden-Powell (B. H.)	3	Bright (Rev. J. F.)	3	& Howson (Dean)	27		
Bagehot (W.)	7, 17, 29	Broadfoot (Major W.)	11	Coolidge (W. A. B.)	8	Eardley-Wimot (Capt. S.)	8
Bagwell (R.)	3	Browning (H. Ellen)	9	Corbett (Julian S.)	3		
Bain (Alexander)	14	Buck (H. A.)	12				
Baker (Sir S. W.)	8, 10	Buckland (Jas.)	25				

INDEX OF AUTHORS AND EDITORS—continued.

Page		Page		Page		Page	
Ebrington (Viscount)	12	Ingelow (Jean)	19	Moore (T.)	25	Stanley (Lady)	7
Ellis (J. H.)	13	James (W.)	13	— (Rev. Edward)	14	Statham (S. P. H.)	6
— (R. L.)	14	Jefferies (Richard)	30	Morgan (C. Lloyd)	17	Stebbing (W.)	8, 23
Evans (Sir John)	30	Jekyll (Gertrude)	30	Morris (Mowbray)	11	Steel (A. G.)	11
		Jerome (Jerome K.)	22	— (W.)	18, 20, 22, 31	— (J. H.)	10
Farrar (Dean)	16, 21	Johnson (J. & J. H.)	30	Mulhall (M. G.)	17	Stephen (Leslie)	9
Fitzwygram (Sir F.)	10	Jones (H. Bence)	25	Nansen (F.)	9	Stephens (H. Morse)	6
Folkard (H. C.)	13	Jordan (W. L.)	17	Nesbit (E.)	20	— (W. W.)	8, 17
Ford (H.)	13	Jowett (Dr. B.)	17	Nettleship (R. L.)	14	Stevens (R. W.)	31
— (W. J.)	13	Joyce (P. W.)	5, 22, 30	Newman (Cardinal)	22	Stevenson (R. L.)	23, 26
Fowler (Edith H.)	21	Justinian	15	Ogle (W.)	18	Stock (St. George)	15
Foxcroft (H. C.)	7	Kant (I.)	15	Onslow (Earl of)	12	'Stonehenge'	10
Francis (Francis)	13	Kaye (Sir J. W.)	5	Osbourne (L.)	23	Storr (F.)	14
Francis (M. E.)	21	Kelly (E.)	15	Palgrave (Gwenllian F.)	8	Stuart-Wortley (A. J.)	11, 12
Freeman (Edward A.)	4	Kent (C. B. R.)	5	Park (W.)	13	Stubbs (J. W.)	6
Freshfield (D. W.)	11	Kerr (Rev. J.)	12	Payne-Gallwey (Sir R.)	12, 14	Suffolk & Berkshire	
Frothingham (A. L.)	30	Killick (Rev. A. H.)	15	Pearson (C. H.)	8	(Earl of)	11
Froude (James A.)	4, 7, 9, 21	Kingsley (Rose G.)	30	Peek (Hedley)	11	Sullivan (Sir E.)	12
Furneaux (W.)	24	Kitchin (Dr. G. W.)	4	Pembroke (Earl of)	12	Sully (James)	16
		Knight (E. F.)	9, 12	Phillipps-Wolley (C.)	10, 23	Sutherland (A. and G.)	6
Gardiner (Samuel R.)	4	Köstlin (J.)	7	Phillips (Mrs. Lionel)	6	— (Alex.)	16, 31
Gathorne-Hardy (Hon. A. E.)	12	Ladd (G. T.)	15	Pittman (C. M.)	11	Suttner (B. von)	23
Gibbons (J. S.)	12	Lang (Andrew)	5, 10, 11, 13, 17, 18, 19, 20, 22, 26, 30, 32	Pleydell-Bouverie (E. O.)	12	Swinburne (A. J.)	16
Gibson (Hon. H.)	13	Lapsley (G. T.)	4	Pole (W.)	14	Symes (J. E.)	17
— (C. H.)	14	Lascelles (Hon. G.)	11, 12	Pollock (W. H.)	11, 31		
— (Hon. W.)	32	Laughton (J. K.)	8	Poole (W. H. and Mrs.)	29	Taylor (Meadows)	6
Gleig (Rev. G. R.)	8	Lawley (Hon. F.)	11	Poore (G. V.)	31	— (Una)	23
Goethe	19	Layard (Nina F.)	19	Potter (J.)	16	Tebbutt (C. G.)	12
Gore-Booth (Eva)	19	Lear (H. L. Sidney)	29	Powell (E.)	6	Terry (C. S.)	7
— (Sir H. W.)	11	Lecky (W. E. H.)	5, 15, 19	Powys (Mrs. P. L.)	8	Thornhill (W. J.)	18
Graham (P. A.)	12, 13	Lees (J. A.)	9	Præger (S. Rosamond)	26	Todd (A.)	6
— (G. F.)	16	Leslie (T. E. Cliffe)	17	Prevost (C.)	11	Toynbee (A.)	17
Granby (Marquis of)	12	Levet-Yeats (S.)	22	Pritchett (R. T.)	12	Trevelyan (Sir G. O.)	6, 7
Grant (Sir A.)	14	Lillie (A.)	13	Proctor (R. A.)	14, 24, 28	— (G. M.)	6
Graves (R. P.)	7	Lindley (J.)	25			Trollope (Anthony)	23
Green (T. Hill)	15	Lodge (H. C.)	4	Raine (Rev. James)	4	Turner (H. G.)	31
Greene (E. B.)	4	Lofie (Rev. W. J.)	4	Rankin (R.)	20	Tyndall (J.)	7, 9
Greville (C. C. F.)	4	Longman (C. J.)	10, 12, 30	Ransome (Cyril)	3, 6	Tyrrell (R. Y.)	18
Grose (T. H.)	14	— (F. W.)	13	Raymond (W.)	23		
Gross (C.)	4	— (G. H.)	11, 12	Reader (Emily E.)	23	Upton (F. K. and Bertha)	26
Grove (F. C.)	11	Lowell (A. L.)	5	Rhoades (J.)	18		
— (Mrs. Lilly)	11	Lubbock (Sir John)	17	Ribblesdale (Lord)	14	Van Dyke (J. C.)	31
Gurdon (Lady Camilla)	21	Lucan	18	Rich (A.)	18	Verney (Frances P. and Margaret M.)	8
Gurnhill (J.)	15	Lutoslawski (W.)	15	Richardson (C.)	11	Virgil	18
Gwilt (J.)	25	Lyall (Edna)	22	Richter (J. Paul)	31	Vivekananda (Swami)	32
		Lytelton (Hon. R. H.)	11	Rickaby (Rev. John)	16	Vivian (Herbert)	9
		— (Hon. A.)	11	— (Rev. Joseph)	16		
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CONTENTS.

CHAPTER XVII.

	PAGE
THE OFFER OF A COMMERCIAL UNION. ITS REJECTION BY THE IRISH PARLIAMENT	1

CHAPTER XVIII.

FINANCES OF IRELAND FROM 1782 TO 1800—CONDITION OF THE PEASANTRY DURING THE EIGHTEENTH CENTURY— THE REGENCY QUESTION, THE ROUND ROBIN—ALLEGED CORRUPTION—THE WHIG CLUBS	26
--	----

CHAPTER XIX.

THE DEMAND FOR A DEMOCRATIC PARLIAMENT IN THE NORTH —THE WHIG CLUB IN BELFAST—RISE OF THE UNITED IRISHMEN—THEIR CONDUCT IN THE NORTH—THEIR PRO- CEEDINGS IN DUBLIN	52
---	----

CHAPTER XX.

THE MOVEMENT OF THE ROMAN CATHOLICS—THEIR UNION WITH THE PRESBYTERIANS—THE DEFENDERS	86
---	----

CHAPTER XXI.

THE FITZWILLIAM EPISODE	131
-----------------------------------	-----

CHAPTER XXII.

GRATTAN'S ROMAN CATHOLIC RELIEF BILL—CONNECTION OF THE DEFENDERS WITH THE UNITED IRISHMEN AND THE CATHOLIC COMMITTEE—CONSPIRACIES AND DISAFFECTION IN THE COUNTRY	168
--	-----

150.35

CHAPTER XXIII.

	PAGE
GRATTAN'S SEDITIOUS SPEECHES—INSURRECTION ACT—THE WHIG CLUB—SECOND MEETING OF PARLIAMENT—CONDI- TION OF ULSTER—THE FRENCH ATTEMPT AN INVASION .	189

CHAPTER XXIV.

ORIGIN OF THE UNITED IRISHMEN—PROCEEDINGS IN THE COMMONS — PROPOSED TAX ON ABSENTEES — GENERAL LAKE'S FIRST PROCLAMATION—GRATTAN AND FOX—RE- PORTS FROM THE SECRET COMMITTEES OF BOTH HOUSES —GRATTAN'S REFORM BILL—SECESSION OF THE OPPOSI- TION	214
--	-----

CHAPTER XXV.

AN ALLIANCE PROPOSED BY THE UNITED IRISHMEN TO THE ORANGEMEN—SECOND PROCLAMATION OF GENERAL LAKE —DEFEAT OF THE UNITED IRISHMEN IN THE NORTH— THE MUTINIES IN THE FLEETS—GRATTAN'S ADDRESS TO HIS FELLOW CITIZENS—THE ADDRESS OF BOTH HOUSES OF PARLIAMENT AND THAT OF THE CORPORATION OF DERRY TO THE LORD-LIEUTENANT	243
--	-----

CHAPTER XXVI.

THE EVE OF THE REBELLION	268
------------------------------------	-----

CHAPTER XXVII.

THE LEGISLATIVE UNION OF 1800	297
---	-----

CHAPTER XVII.

THE OFFER OF A COMMERCIAL UNION. ITS REJECTION.

Two months after the address of the Irish Commons to the King, the session of the British Parliament closed, and Pitt had some leisure to devote to the great question of a commercial treaty between the two countries. Assisted by Orde, Chief Secretary for Ireland, Foster, the Chancellor of the Irish Exchequer, and Beresford, Chief Commissioner of the Irish Revenue, he entered on the matter. Pitt's idea, to use his own words, was "to give Ireland an almost unlimited communication of commercial advantages, if we can receive in return some security that her strength and riches will be our benefit, and that she will contribute from time to time in their increasing proportions to the common exigencies of the empire".¹ All he desired was that some mode and time of contribution, accommodated in any manner to the temper of Ireland, should be fixed, and that the benefits should be reciprocal.² Before the Imperial Parliament met, Pitt and his Cabinet had agreed on the general principles which were to form a groundwork for a final and conclusive settlement between Great Britain and Ireland. On the 25th of January 1785, the King, in his speech at the opening of Parliament, recommended to its "earnest attention the adjustment of such points in the commercial intercourse between Great Britain and Ireland as are not yet finally arranged; the

¹ *Correspondence between Pitt and the Duke of Rutland*, p. 43.

² *Ib.*, p. 53.

system which will unite both kingdoms the most closely on principles of reciprocal advantage, will, I am persuaded, best insure the general prosperity of my dominions".¹ Pitt digested his plan into ten propositions, and for the purpose of knowing what the Irish Parliament would accept and grant in return, sent them over to Orde to be laid before that Assembly. They were there agreed to with the exception of the last—the tenth. This proposition originally stood thus: "that for the protection of trade, whatever sum the gross Hereditary Revenue of this kingdom [after deducting all drawbacks, repayments, or bounties granted in the nature of drawbacks] shall produce annually over and above the sum of £ , should be appropriated towards the support of the naval force of the empire in such manner as the Parliament of this kingdom shall direct". Pitt left it to the Irish Parliament to fill in the amount which the Hereditary Revenue had, on an average of some years, produced.

Grattan objected to this plan, and proposed that no surplus should be granted except in those years in which the annual revenue equalled the expenditure. Accordingly the tenth proposition was divided into two; the first of which merely declared that it was desirable to prevent an accumulation of debt; the second provided that whatever sum the gross Hereditary Revenue [after deducting drawbacks, etc.] should produce over and above the sum of £656,000 in those years wherein the revenue equalled the expenditure, should be appropriated to the support of the naval force of the empire, in such manner as the Parliament of Ireland should direct. These eleven propositions were known as the Irish propositions to distinguish them from the resolutions which passed the Imperial Parliament.²

¹ *Parliamentary History*, xxiv., p. 1,382.

² The younger Grattan seizes this opportunity to narrate one of his fables, in which he is, of course, followed by Mr. Lecky. Grattan says:

It is manifest that, if Pitt's proposition had been accepted, it would not have required a penny from Ireland, until her wealth and prosperity had been developed by the new concessions to her commerce proposed in the treaty. The contribution to be granted under Pitt's proposition, namely, the surplus of the Hereditary Revenue, after deducting £656,000 for the support of the Irish establishments, would have been exactly commensurate with the benefits Ireland would reap from the new arrangement. If that arrangement was followed by an increase of commerce, wealth and population, the increase was to be devoted to the defence of the empire. If no such results ensued, Ireland would not contribute anything. Pitt's plan was tantamount to a declaration of this kind: "I am about to offer you facilities for extending your commerce such as you never before possessed. I believe they will be followed by a great increase in your trade, but as you may not think so, keep your revenue as it is at present. All I ask is, that if there be a surplus arising from the extension of commerce now granted to you, it shall be devoted to our common safety."

On the other hand, Grattan's plan, that the surplus should be paid only in the years wherein the revenue and expenditure were equal, was entirely illusory. Pitt desired, as he said in the British Commons, "to ensure to Ireland the permanent and irrevocable enjoyment of commercial advantages, so he expected in return that Ireland would secure to

"On the present occasion the minister (Foster) induced the Parliament to believe that the propositions would be acceded to, and procured a supply of £140,000". The Speaker of the Commons, in his address to the Lord-Lieutenant, gave the true reason for raising this supply. "Though to put an end to the ruinous practice of running in debt, they (the Commons) have found themselves under a necessity of imposing additional taxes to the amount of about £140,000 a year," etc. (*Irish Debates*, v., p. 97). See also a Resolution of the House to the same effect (*Ib.*, vi., p. 96.; *Commons' Journals*, xii., p. 39).

England an aid as permanent and irrevocable".¹ The Government had no control whatever over a very large part of Irish expenditure, and no dependence could be placed on the promises or assurances of the Irish Parliament, which was increasing its expenditure, and borrowing every year without an effort to equalise its revenue and expenses. The funded debt of Ireland, which need never have existed but for wilful waste, was in 1785 £2,181,501, and the nation was also liable to the payment of life annuities on a sum of £740,000 at very high rates.² This debt would never have arisen but for the enormous grants of public money, nominally for the improvement of the country, but very largely for party jobs. In February 1786, the Accountant-General stated in the Commons that, in the twenty-five years subsequent to 1760, two millions seven hundred thousand pounds, or half a million more than the whole funded debt, had been granted in premiums and parliamentary grants. "The fact is," he continued, "that all the expenses that are within the authority of Government are within the income; but premiums on the export of several articles, interior premiums for the encouragement of manufactures, the premiums on bringing corn to Dublin, and all other bounties and premiums, may come to any amount".³ Two years later, the same officer, dropping the limit of twenty-five years, told the Commons: "your debt, three times told, does not amount to the sums that have been paid in premiums, bounties, king's letters, and parliamentary grants for public purposes...a sum altogether not less than £7,122,000... The more he saw the more he wondered what is become of a sum of money that was sufficient to cover the whole kingdom with gold leaf."⁴ In

¹ *Parliamentary History*, xxv., p. 326.

² *Irish Debates*, vi., p. 125. £440,000 at 6 per cent., and £300,000 at 7½ per cent.

³ *Irish Debates*, vi., p. 102.

⁴ *Ib.*, viii., p. 422.

addition, the Parliament had anticipated the revenue of the country to such an extent by the Appropriated Duties, and had encouraged such a laxity and extravagance in its collection, that out of a revenue of £1,300,000 only £800,000 was applicable to the current expenses of the nation, the remainder, *viz.*, £500,000, not being subject to the control of the Government. For many years before the proposal of the treaty, the Irish revenue had not equalled the expenditure in any one year; "in the last ten years," said the same gentleman in 1786, "one year with another, the expenses of the country had exceeded its income about two hundred thousand a year, including the money borrowed on life annuities".¹ Pitt therefore could not accept Grattan's amendment; and, on bringing forward the propositions a second time in the British Commons, struck out the words which made the contribution of Ireland conditional on an equilibrium between her revenue and expenditure.

Before we proceed farther, it is desirable to state the actual commercial position of Ireland at the time when the treaty of Union was offered.

Ireland, being an independent nation, could trade with unlimited freedom to all the kingdoms of the world, subject only to the restrictions of her own legislature and the legislatures of the countries with which she traded. She could supply them with her own produce and manufactures, and in return carry home their goods and produce. The privilege of trading with the colonies and plantations of Great Britain had been granted to her in 1780, on condition that her Parliament should conform from time to time to such laws and rules as Great Britain should enact for regulating the colonial trade, and also adopt by her own legislation such duties on all commodities exported from

¹ *Irish Debates*, vi., p. 103.

Ireland to the colonies or imported from them, as Great Britain imposed or should impose on the same articles. As the ships of Ireland were considered British built, she could even carry on a *direct* trade between the colonies and Great Britain, but she could not introduce colonial produce, through herself, and from her own warehouses, into Great Britain. This was called the circuitous trade, and was forbidden, to prevent Irish merchants importing the cheaper produce of French and other foreign colonies into Ireland, and then exporting it into Great Britain as the produce of British colonies. Great Britain supported her colonies by taking their produce at a high price, and in return required them to take her own. This mutual monopoly would have been broken up if the Irish merchants had been allowed to buy in other markets the peculiar products of the British colonies, and sell them in Great Britain as coming from her own. This would have ruined the planters and disturbed a long established trade. Though it was not inequitable for Great Britain to decline to receive from Ireland the produce of her colonies which she alone maintained, the Irish complained of this restriction.

Another perfectly just restriction was common to Ireland and every port in Great Britain, save that of London. The East Indian trade was then a monopoly in the hands of a Chartered Company, and every individual in the three kingdoms, not a member of the company, was bound not to interfere with this trade.¹ This monopoly had been confirmed by Irish law, and therefore Ireland was bound by it as long as the charter continued.²

¹ Every Irishman might become an adventurer in the Company.

² *Irish Debates*, v., p. 379. The 33 Geo. II., c. 10 (Irish) enacted that any person going on board a homeward bound East India or China vessel, lying in an Irish port, without a licence from the Collector, should be fined £20.

The principal complaint of the Irish merchants was that the duties on some goods imported into England were so high as to be prohibitory.

At this time, the value of linen exported from Ireland exceeded that of all her other exports. The prosperity of this great trade was entirely owing to the support and favour of Great Britain, which took seven-eighths of the export, to the great loss of her own subjects. To promote this export, Great Britain laid very heavy duties on foreign linen. It was estimated that, in consequence of these protecting duties, the private consumer in Great Britain paid at least 25 per cent. more for his linen than he would have done if foreign linen had been relieved from duty as the Irish was. Irish linen first found its way to foreign markets by means of a British bounty on its exportation from England, thus sharing in the large capitals and extensive dealings of English merchants.¹ If Great Britain had withdrawn her protection, and admitted foreign linens on equal terms with Irish, this export would have perished, for there would have been no market for it elsewhere. Grattan, who was entirely ignorant of commercial affairs, declared in 1785 that other markets might be found for Irish linens. The answer of the Chancellor of the Exchequer was decisive: "The right honourable gentleman seems with others to undervalue the British markets for our linens, and that, if Britain shall discourage their import, they will find vent elsewhere. I will not pay him so fulsome a compliment as to say he understands commerce; his genius soars perhaps above such reading; but if he did understand it, I would ask him, where would he expect a market to favour the linens of Ireland; where would he find a market under Heaven for that manufacture which now brings two millions

¹ *Irish Debates*, v., p. 475.

annually into the kingdom? Will Portugal take them? Will Spain take them? Will France take them? No, we know they will not. Will Russia, Germany, or Holland take them? They are your powerful rivals, and able to undersell you. . . . Your only market, then, is in the bankrupt States of North America, that have not money to pay their just debts, and many provinces of which, if they had the money, have not perhaps the honesty to do it.”¹

When the eleven propositions had been agreed to by the Irish Parliament, they were forwarded to England to be considered in the British Parliament. In February, 1785, Pitt opened them in the Commons as a foundation on which an advantageous and honourable system of intercourse between the two countries might be established. They were bitterly opposed at this early stage. Lord North declared that in the proposed treaty Great Britain was to make large concessions—Ireland scarcely any.² Fox said that the propositions appeared to him to appoint Ireland the sole guardian of the laws of navigation, and grand arbiter of all the commercial interests of the empire.³ Every effort was made to inflame the minds of the British merchants, who were naturally alarmed by the great changes proposed. To allow this alarm to abate, and to take further evidence on the probable effects of the new plan, its consideration was suspended. Several defects in it had been brought to light by the Opposition, such as the absence of provisions to secure the East India trade to the Company; to prevent the smuggling into Great Britain through Ireland of the produce of foreign colonies as the produce of British colonies; to preserve valuable patents to their owners; and to guard literary property, which was then unprotected in Ireland.

¹ *Irish Debates*, v., p. 475.

² *Parliamentary History*, xxv., p. 330.

³ *Ib.*, p. 333.

A few weeks later, Pitt again brought forward his plan arranged in twenty resolutions. "His present plan," he said "was nothing more than a necessary supplement to those [resolutions] which had formerly been adopted for the purpose of creating such a mutual interest as should for ever preserve inviolate and secure the connection between the two countries. . . . Its principle was that a treaty should be concluded with Ireland, by which that country should be put on a fair, equal and impartial footing with Great Britain in point of commerce with respect to foreign countries and to our colonies ; and as to the mutual intercourse between each other, that this equality should extend to manufactures, to importation and to exportation ; and that Ireland in return for this concession should contribute a share towards the protection and security of the general commerce of the empire."¹ The Opposition now changed their tactics, as the alarm of the British merchants had died away. On the former occasion, they had posed as protectors of British interests—they now assumed the character of Irish patriots. During the debate, it had been objected on the part of the Opposition, that, as Ireland was now an independent nation, there was no security she would adopt, if the treaty were concluded, the laws and regulations made by Great Britain for her navigation and colonial trade. The objection was sound, and to obviate it Pitt inserted a clause providing that so long as Ireland chose to avail herself of the treaty, all laws made, or to be made, in Great Britain for securing exclusive privileges to the ships and mariners of Great Britain, Ireland and the colonies, and for regulating the colonial trade, such laws imposing the same restraints and conferring the same benefits on the subjects of both kingdoms, should be in force in Ireland by laws passed in

¹ *Parliamentary History*, p. 577.

her own legislature. No sooner was this clause inserted than the Opposition, which had hitherto opposed the treaty as too favourable to Ireland, turned round, and, to create an alarm in that country, resisted the clause as infringing the constitution of Ireland. Sheridan said that it was a direct attempt to legislate for Ireland; and Fox declared that he would not barter English commerce for Irish slavery.

Of the origin of this extraordinary construction of the clause, Lord Clare gives the following account: "I have been informed, from authority which I cannot doubt, that this curiosity was struck out by a gentleman of distinguished ability, a native of this country who has long been a member of the British House of Commons; and that, when he first stated it to the party with whom he acted, they reprobated the deception as too gross even for Irish dupery. He told them 'I know my countrymen and be assured they will swallow the bait'."¹ Clare evidently refers to Edmund Burke. Whether or not the story be true, it is certain that the Oppositions in the two countries were acting in concert, and that Burke's conduct in the matter was extremely dishonest. At the very time he was opposing the treaty in the Imperial Parliament, he wrote a letter to a friend of Grattan which contained the following: "I hope you, on your side, know and approve the substance at least of the amendments [to the Irish propositions], for if you should not acquiesce in them, I do really fear that your situation is most critical indeed. This is the only moment, in my idea, for Ireland to fix her happiness, commercial and political, upon a solid and firm base. If pertinacity, or an ill-understood punctilio should be suffered to step in, to prevent the operation of the good sense of your country, and

¹ Speech, 10th February, 1800.

prevent our now coming to a final settlement upon some system that may connect the two countries permanently, and for ever lay asleep every motive of jealousy and dispute, every man either of wisdom or feeling will soon have reason to regret the day when the question was first stirred among us, and that anything was done to let all *loose from the hands of the old situation* before due consideration was had upon what should be those of the new.”¹

Notwithstanding the efforts of the Opposition, the resolutions were passed by both Houses, and on the 29th of July were presented to the King in a joint address of the Lords and Commons. This address contained a full and explicit acknowledgment of the exclusive legislative power of the Irish Parliament “which is alone competent to bind your Majesty’s subjects in that kingdom, and whose legislative rights we shall ever hold as sacred as our own”.² After which a bill, founded on the resolution was introduced by Pitt and read a second time; the intention being that the bills approved of in both countries should have no effect, until compared and mutually agreed on by the British and Irish Parliaments.

Mr Orde proposed to adopt a similar line of action in Ireland, *viz.*, to introduce into the Parliament a bill founded

¹ The letter is dated 13th May, 1785, and was sent to Sir John Tydd, from whom Grattan got it. It is given in his *Life*, iii., p. 250. Other statements in it are remarkable. “The Opposition flatter themselves you will object to them [the amendments] altogether, and that it will affect [? effect] the point they aim at so much—break up the further consideration of the business between the two countries. The clamour and the degree of unpopularity they have raised against the Minister is not to be conceived. Fox confessed that the amendments proposed did, in many instances, draw out the sting, and do away with the strong ground of objection to several of the resolutions; but both he and Lord North contended that there was no necessity whatever for anything more to be conceded to your country, and that no further commercial arrangements ought to have taken place.”

² *Parliamentary History*, xxv., p. 982.

on the Irish propositions,¹ and when it had been received, to print it, and then to pause for the purpose of collecting the opinion of the country on its provisions. When this had been done, the respective bills of the two Parliaments were to be compared, and the differences adjusted. Both bills would have been conditional until mutually approved by the Parliaments of the two kingdoms.² The bill as drawn by Orde, differed from the British resolutions, and contained many new provisions in favour of Irish constitution and commerce.³ It was framed especially to soothe the jealousy of the Irish Parliament; and for this purpose, clauses were inserted in it expressly reserving to the present and all succeeding Parliaments the full exercise of legislative rights in all cases whatever, and giving to the Irish Houses a greater power than any Parliament ever before possessed, by placing in their hands, without the royal assent, the repeal of the treaty. It also made remarkable concessions as to the surplus, *viz.*, (1) any extraordinary expense, except in time of war, etc., producing an excess beyond the supplies granted by the Irish Parliament in any year, was to be paid out of it, and (2) the surplus was to be applied in the first instance to the purchase of sailcloth, cordage, naval stores, etc., the produce or manufacture of Ireland, for the use of the Royal Navy. The bill offered to Ireland every commercial advantage which Great Britain enjoyed. It would have been impossible to devise a system more

¹ "I shall now in the most concise manner possible take a view of the eleven propositions of this Parliament in order to show that the Bill which I shall introduce is founded upon them" (Orde when introducing his bill, *Irish Debates*, p. 535).

² *Ib.*, v., p. 339.

³ "The Irish Bill differs materially from those Resolutions [the British] and contains many new provisions in favour of our constitution and commerce" (Hely Hutchinson, *Letter to his Constituents*. This pamphlet is attached to Woodfall's *Report of the Irish Debate*).

replete with benefits to the poorer country, as an enumeration of the advantages offered by the bill will show :—

1. The markets of both countries were to be open to the produce and manufactures of each other upon equal terms.

2. The linen manufacture of Ireland was to be secured for ever against all foreign competition.

3. The colonies were the exclusive property of Great Britain; yet she offered them, present and future, to Ireland to be held on the same terms she held them herself, without calling upon Ireland to contribute to their support or defence. There was one exception to this grant, but it was in favour of Ireland. For many years she had been allowed to import rum from the British colonies on lesser duties than were paid in Great Britain. This privilege was to be continued to her.

4. The navigation laws were to be relaxed, and Ireland allowed to supply Great Britain with the produce of her own colonies, provided she gave the same protection to their produce against the produce of foreign colonies which Great Britain gave.

5. The distinction between Irish and British sailcloth was to be abolished, and Ireland was to be allowed to furnish British vessels with her sailcloth. This provision, said the Chancellor of the Irish Exchequer, would have been an immediate source of wealth to Ireland.¹

6. Ireland was to trade with the East Indies exactly as Great Britain did, and, when the charter of the company expired, the possessions of Great Britain in the East were to be open to her. The condition attached to this provision was that Ireland should agree not to trade with the countries

¹ *Irish Debates*, v., p. 412.

between the Cape of Good Hope and the Straits of Magellan. Ireland had never sent a ship to these countries, and no European settlement there would admit her merchants.¹ In return for this barren and theoretic right, she was now offered a certain and advantageous commerce to a great empire in the East.²

7. The right of fishing on the coasts of Great Britain and Ireland was to be enjoyed equally by both countries.

8. Rocksalt, necessary for the Irish victualling trade and fisheries; bark for the manufacture of leather, which could only be obtained from England, as it would not bear the freight from distant places; hops which Ireland could not grow; tin which she had not; and coals upon which the inhabitants of Great Britain paid a tax of five shillings a chaldron from port to port, were to be imported into Ireland duty free for ever.³

9. Ireland was to export all her produce and manufactures through Great Britain free of duty, thus mixing them with British produce and manufactures, and giving them the advantage of the great capitals and extensive exportation of English merchants. This provision would for ever have prevented foreign nations from distinguishing between British and Irish manufactures, and would have admitted Ireland at once into every treaty concluded with

¹ Hely Hutchinson, *Letter to his Constituents*.

² "She [Britain] offers an export of your manufactures, with all duties drawn back, through the medium of her company, to her East Indian territories, by which channel alone she can convey her own manufactures thither—the benefit of whatever revenue shall arise on India goods sent to Ireland, or a drawback on the exportations from Great Britain, which would give them to us free of all duties—and an equal trade with Great Britain in her possessions in India in the event of a dissolution of the company" (*Ibid.*).

³ As to this section, see the speech of the Chancellor of the Exchequer, *Irish Debates*, v., p. 476, and Woodfall, p. 110.

foreign powers. Portugal refused to receive Irish woollens as British; such a refusal would have been impossible in the future.

10. This treaty may be summed up in a question put by Hely Hutchinson: "Does Great Britain possess in any one part of the globe any one article of free commerce whatever, in her power to participate, which she does not open as freely and beneficially to Ireland as to herself?"¹

On the 12th of August, Orde moved for leave to bring in his bill under the title, "a bill for effectuating the intercourse and commerce between Great Britain and Ireland on permanent and equitable principles for the mutual benefits of both Kingdoms".² It was very unusual to object to the introduction of a bill by a member except in extreme cases such as that of Flood moving to bring in a bill which had been settled in another Assembly. The present bill, and the whole treaty were the result of a unanimous address of the Irish Commons to the King, yet the Opposition, headed by Grattan, were resolved to oppose Orde's motion, and to refuse a temperate discussion or examination to a measure which they themselves had called for. After a prolonged debate, leave was granted to bring in the bill by a majority of 127 to 108. A majority of nineteen only was too small to leave any hope that the bill would pass, and the treaty was dropped.

The rejection of a Commercial Union which offered to Ireland complete equality in commerce, and opened to her a chance of competition with Great Britain on more than favourable terms, even in those points where Great Britain had the fullest right to exclusive advantage, was due to Grattan. It requires a study of the Irish propositions, of the British resolutions, and of Orde's Bill, to comprehend the

¹ *Letter to his Constituents.*

² *Commons' Journals*, xi., p. 478.

crazy and pitiful nonsense advanced by him in this debate.¹ The suggestion of the English Opposition that the treaty was an infringement of the Irish Constitution, had taken possession of Grattan's mind, which, like that of James II., was impervious to argument, and mistook dogmatic assertion for reasoning. He knew absolutely nothing of the bill he was opposing. It was remarked in the House that he never once adverted to it, but directed all his attention to the British resolutions,² though the bill was not founded on them but on the Irish propositions. Grattan's objection to the treaty was, that to accept a partnership with Great Britain in her colonies and in the benefits of her Navigation Code on condition of re-enacting her laws in these matters, was a violation of Irish independence. If there was anything in this objection, then that independence had for several years ceased to exist, for the Irish Parliament had already accepted the colonial trade on the express condition of re-enacting British laws and British duties, and had declared in many of its statutes that it was reasonable to do so. A short retrospect will show this. In 1779, the colonial trade was offered to Ireland on condition that she should conform her legislation from time to time to such laws and regulations as Great Britain should enact for this trade, and also impose such duties on all commodities imported from or exported to the colonies as Great Britain should impose on the same articles, that is, not only the duties existing at that day, but also those that Great Britain should think proper to lay on at any future time. The offer was received by Grattan and the other members of the Irish

¹ The Irish propositions, the British resolutions, and Orde's Bill are to be found in Woodfall's *Report of the Irish Debate*.

² "The right honourable gentleman, in his arguments, has never once adverted to the bill on your table, but draws all his conclusions from arguments raised by his own imagination on the British resolutions" (The Chancellor of the Exchequer, *Irish Debates*, v., p. 474; Woodfall, p. 191).

Parliament with transports of joy. On the 20th of December in the same year, the following resolution was passed unanimously in the Irish Commons, "that a liberty to trade with the British colonies in America and the West Indies, and the British settlements on the coast of Africa, *in like matter as the trade is carried on between Great Britain and the said colonies and settlements*, will be productive of very great commercial benefits, will be a most affectionate mark of the regard and attention of Great Britain to our distresses, and will," etc., etc.

Following up this resolution, the Irish Parliament in the next year passed an Act with a clause to this effect: "Whereas such part of the trade between this kingdom and the British colonies in America, etc., as was not enjoyed by this kingdom previous to this present session, can be enjoyed and have continuance so long and in such case only as the goods to be imported from the said colonies, etc., into this kingdom, or to be exported from this kingdom to the said colonies, etc., shall be liable to equal duties and drawbacks, and be subject to the same securities, regulations and restrictions as the like goods are liable and subject to upon being imported from the said colonies, etc., into Great Britain, or exported from thence to such colonies".¹ The Act then proceeds to equalise the Irish duties with the British. This clause was repeated annually in an Irish Act from the year 1780 down to 1785 inclusive; the British conditions were observed, the British duty was recited, and the British duty was enacted in each year.²

These Acts furnish repeated examples of the willingness of the Irish Parliament to shape their legislation in exact conformity with British laws. To adopt British Acts in return for a grant so long as that grant was enjoyed, gave

¹ 19 and 20 Geo. III., c. 11, s. 9.

² 21 and 22 Geo. III., c. 5. 23 and 24 Geo. III., c. 5. 25 Geo III., c. 4.

no alarm to Grattan or any other Irishman. The absurd doctrine that independent nations surrender their independence by mutually agreeing to limit the exercise of their legislative powers had not yet been conveyed from the British to the Irish Opposition.¹ Such agreements are to be found in all treaties between sovereign states ; and without such reciprocal concessions no treaty could be concluded. On this subject, Pitt instanced the late treaty with France, by which that nation was bound to publish certain edicts as soon as Great Britain had performed acts for which France had stipulated, and also the proposed treaty with Ireland, by which Great Britain gave up full as much of her legislative rights as Ireland did.²

The principle of adopting British laws was carried even further by an Act which was drawn by Grattan, Hussey Burgh, Yelverton and Fitzgibbon, in 1782,³ when the excitement respecting Irish independence was highest. The annual Acts just mentioned referred to the colonial trade, but this Act extended to a concurrence of legislation in commerce generally and in the Navigation laws. It recites that it is the earnest and affectionate desire of the Irish people, as well as their true interest, to promote the navigation, trade and commercial interests of Great Britain as well as of Ireland, and that a similarity of laws, manners and customs must strengthen the harmony between the two kingdoms. It then enacts "that all such clauses and provisions, contained in any statutes made in England or Great Britain concerning commerce, as import to impose equal restraints on the subjects of England and Ireland, or

¹ "Limitations, which arise out of the power of the Legislature, and depend for their duration on the same power, are not arguments against, but the clearest proofs in support of, legislative independence" (Hely Hutchinson, *Letter to his Constituents*).

³ *Parliamentary History*, xxv., p. 764.

² *Irish Debates*, v., p. 474 ; Woodfall, pp. 177, 192.

of Great Britain and Ireland, and to entitle them to equal benefits; and also all such clauses, etc., equally concerning the seamen of England and Ireland, or of Great Britain and Ireland . . . shall be accepted, used and executed in this kingdom".¹ Hely Hutchinson contrasts this Act with Orde's Bill: "Compare that Act and the present bill. The Act establishes the British commercial laws, which contain equal benefits and restraints, as laws in Ireland, with a retrospect of 290 years; and extends the idea of similarity of laws between the two kingdoms not only to seamen, but to commerce generally. This bill makes it a fundamental condition of the proposed agreement, that the ships and seamen of both countries should, by the laws of both, be secured in the same privileges, advantages and immunities; but as to commerce, restrains the similarity of laws to that commerce only which consists of British property, and arises to Ireland from British concession, or is immediately and necessarily a part of that system, and even there binds the British legislature to the rule of equal restraints and equal benefits. . . . If the bill is unconstitutional, the Act is infinitely more so. But neither is subject to that imputation, because similarity of laws is a just and constitutional principle, if neither of the countries can be bound without the assent of its legislature." ²

If Grattan had read Orde's Bill, he would have discovered that it did not go so far as his own Act, which declared for an entire similarity of laws, whereas the bill only went to a similarity in the Navigation laws and those relating to the colonial trade; and further, that the portions of the bill which referred to uniformity of legislation were actually taken from the statute which he had helped to draw.

¹ 21 and 22 Geo. III., c. 48.

² *Letter to his Constituents.*

Grattan's mis-statements of the commercial provisions in the bill demonstrate his inexcusable ignorance of a measure, the discussion of which he was opposing. Some only can be here mentioned. The bill opened the East India trade for the first time to Ireland during the existence of the company, and, in the event of its dissolution, an equal trade with Great Britain to all her possessions in India. Grattan urged that Ireland was to be prevented for ever from trading with the East Indies during the existence of the company, and also after its expiration except under British regulations.¹ The bill deprived the King of his property in the Hereditary Revenue,² and directed the surplus of it to be applied in the first instance to the purchase of Irish sailcloth and other Irish products for the use of the navy, thus insuring its expenditure in the country. This, said Grattan, was a grant to the King of a perpetual money bill; the establishment of a perpetual Revenue Bill³; a perpetual repeal of trial by jury; a perpetual repeal of the great charter, etc. He declared that Orde's Bill extended to the whole foreign commerce of Ireland, and regulated her

¹ "Mr. Grattan rose to explain. He said that we were to be prevented for ever from trading with the East Indies during the existence of a chartered company, and from ever carrying on a trade to those parts, even after its expiration, except under British regulations." Attorney General: "The right hon. gentleman is totally and radically mistaken, and there cannot be a stronger argument for the introduction of the bill than he has furnished; for it now appears that he is altogether mistaken in his idea of the fundamentals of it" (*Irish Debates*, v., p. 380).

² "It has been objected in a neighbouring kingdom that the grant of this surplus is a diminution of the royal power and property. It certainly is so, and has justly and liberally conceded to strengthen the whole empire by a great commercial adjustment between these two countries" (Hely Hutchinson, *Letter to his Constituents*).

³ "It is no part of the bill that this grant should be supported by a perpetual Revenue Bill. It would have been supported with good faith, but, like the rest of our revenue, by annual bills, in aid of the Acts of Excise, which are now perpetual" (Hely Hutchinson, *Letter to his Constituents*).

trade "universally with Portugal, with Spain, with all the world". The bill did not contain a word respecting the the foreign commerce of Ireland, but only referred to the colonial and domestic markets of Great Britain, and the Navigation laws.¹ This latter misconception pervaded Grattan's whole speech, and led him to speak of the proposed treaty as a surrender of Irish legislative power, and transfer of it to the Imperial Parliament.

Flood also denounced the treaty as an attack upon the constitution of Ireland. He had argued against the Irish propositions, and was certainly opposed to any commercial treaty between the two kingdoms. As his character was well known to the House, he was treated with much greater freedom than Grattan. The Chancellor of the Exchequer said: "It would be absurd to follow him through all his errors; many of them the most ignorant child would be ashamed to advance."² Another member described his speech as "one of the wildest, most inconsistent, and, I had almost said, ignorant speeches ever delivered by a man of ability."³

On the other hand, the introduction and examination of the bill were supported by the members who had any knowledge of commerce or finance; as the Chancellor of the Exchequer,⁴ Hely Hutchinson, the two Beresfords, Sir Lucius

¹ In answer to this misconception, the Chancellor of the Exchequer said: "I rise to state the misconception of the right honourable gentleman, and if anything can show the necessity of curing the people of their infatuation, by publishing and explaining the bill to them, it surely is this, that a gentleman to whom they look up, and justly look, as one whose wisdom and virtue will guard their rights, is so very much mistaken. . . . It [the bill] enacts nothing . . . that is to give to Britain the regulation of our foreign trade with Portugal, with Spain, with all the world" (*Irish Debates*, v., pp. 473-74).

² *Ib.*, v., p. 410.

³ *Ib.*, v., p. 418.

⁴ Towards the end of this year Mr. Foster was elected Speaker of the Commons, and Sir John Parnell was appointed Chancellor of the Exchequer.

O'Brien, George Ponsonby, Mason, Gardiner and Fitzgibbon. Foster pleaded for the treaty with real eloquence, the effect of which was greatly strengthened by the general belief that he of all men was best acquainted with the trade and commerce of Ireland. "If Great Britain," he said, "grants us a full partnership in all her trade, in all her colonies, if she admits us to a full participation in the benefits of her navigation laws, by which she has raised herself to be the greatest commercial power in the world ; if she does not call upon us to contribute to the expense of the partnership, but merely to receive our share in the profits, and says, we may continue in that partnership only so long as we choose, can any man say the condition of it is a surrender of our legislature ? Let us then look at the subject, free from imaginary dread of constitution. . . . I could run out for hours into the many benefits of this system, but I have tired the House too long ; let me only implore you not to reject this measure for ill-founded, visionary objections, or sacrifice realities for shadows. If this infatuated country gives up the present offer, she may look for it again in vain ; things cannot remain as they are ; commercial jealousy is roused, it will increase with two independent legislatures, if they do not mutually declare the principles whereby their powers shall be separately employed in directing the common concerns of trade ; and without a united interest of commerce in a commercial empire, political union will receive many shocks, and separation of interests must threaten separation of connection, which every honest Irishman must shudder to look at".¹

Three days later, Foster renewed his entreaty : "I will stand or fall with the Bill, that not a line of it touches your Constitution. It is now left to the decision of the country ;

¹ *Irish Debates*, v., pp. 412, 413.

it is not abandoned, God forbid it should ; and I trust I shall see the nation ask it at our hands. That we may be able then to obtain it shall be my prayer. The minister cannot promise—he has done his duty—and it will be my pride at a future day, when its real value shall be known, that I bore a leading part in the transaction ; that I laboured to procure for Ireland solid and substantial benefits, which even two years ago no man had an idea of even looking to.”¹

This Union, if it had been accepted, might have proved the salvation of Ireland. It would have banished all commercial jealousy and rivalry between the two countries. A constant and uninterrupted intercourse would have drawn them closer, and united them in the bonds of common interest. Their mutual labour, undisturbed by duties or bounties, would have taken its natural course, and each nation would have devoted itself to the fabrics and products it could manufacture with the greatest advantage, and would have bought from the other what it could not make so profitably itself. But Grattan, who had not a particle of statesmanship in his composition, threw away what would have been of inestimable value to his country at a time when the gloom of coming disasters was deepening over it. From this time, deficit succeeded deficit, and coercive laws of extraordinary severity became necessary to control the increasing anarchy. In the North, republican principles, and disaffection to the Irish Parliament, were spreading rapidly. The empty and egotistical jargon, with which the French Revolution has since made us familiar, was to be heard at all the political meetings or read in the manifestoes of a growing and dangerous party. The expressions, majesty of the people, the wise and virtuous people, the yoke of slavery, the sublime affection which citizens owe to each other, august

¹ *Irish Debates*, v., p. 476.

citizens, etc., etc., were as common in Belfast, as they afterwards became in Paris. Worst of all, a union between the Presbyterian revolutionists and the Roman Catholics, which was to be so fatal to Ireland, was being accomplished. Volunteers were inviting Roman Catholics into their ranks, and marching to their chapels to show their fraternal feeling.¹ In the South, society, as we understand the word, had ceased to exist. The civil power had lost its authority, and, in its stead, Captain Right governed the country. The peasantry throughout Munster were organised and sworn to obey him. He made laws "infinitely more effectual or better enforced than those of Parliament"². The state of the province was dreadful. It wore, as was stated in the Irish Commons, rather the appearance of foreign invasion than of intestine commotion. Private houses were attacked, the Protestants were daily disarmed,³ corn was burnt, men were buried up to their chins for many hours or otherwise tortured, the King's troops were fired on, and large towns, such as Cork and Limerick, were threatened with blockade and famine unless prisoners were released. The Rightboys had commenced by reforming tithes and preventing the levy of parish cesses; their next step was to nominate parish clerks, and in some cases curates, and to decide what church should or should not be repaired. At last, they proceeded to regulate rents, to raise the price of labour, and to oppose the collection of the hearth-money and other taxes.⁴ The extortionate demands of the landowners, and

¹ *Belfast Historical Collections*, pp. 290-316.

² *Irish Debates*, vii., p. 18.

³ In March, 1786, a body of Roman Catholics attacked a little colony of German Protestants in the County of Kerry, who had formed themselves into a volunteer corps, and took from them thirty stands of arms (*Ib.*, vi., 342).

⁴ This description is taken literally from the testimony of members of the Commons (*Ib.*, vi., pp. 435, 441, 445, 446, and vol. vii., pp. 17, 18, 57-61, 195).

their shameful system of letting their estates to the highest bidder, had driven the tenantry of Munster to despair. Feeling the oppression and not knowing its cause, they attributed it to tithes, though they often paid six pounds an acre in rent, and received for their labour fivepence a day.¹ In consequence of this belief, which was encouraged by some landlords, the most barbarous cruelties were inflicted upon many of the Protestant clergy. Fitzgibbon put his finger on the real cause of these disturbances. "I am very well acquainted with the province of Munster, and I know that it is impossible for human wretchedness to exceed that of the miserable peasantry in that province. I know that the unhappy tenantry are ground to powder by relentless landlords. I know that, far from being able to give the clergy their just dues, they have not food or raiment for themselves—the landlord grasps the whole; and sorry I am to add that, not satisfied with the present extortion, some landlords have been so base as to instigate the insurgents to rob the clergy of their tithes, not in order to alleviate the distresses of the tenantry, but that they might add the clergy's share to the cruel rack-rents already paid. . . . The poor people of Munster live in a more abject state of poverty than human nature can be supposed able to bear; their miseries are intolerable, but they do not originate with the clergy; nor can the legislature stand by, and see them take the redress into their own hands. Nothing can be done for their benefit while the country remains in a state of anarchy."² The misery and destitution of the peasantry in the South were preparing the way for those mischievous emissaries who were a few years later despatched from the North to preach sedition and treason.

¹ *Irish Debates*, vii., p. 62. Grattan says seven pounds an acre, and sixpence a day (*Ib.*, p. 337).

² *Ib.*, 58.

CHAPTER XVIII.

FINANCES OF IRELAND FROM 1782 TO 1800—CONDITION OF
THE PEASANTRY DURING THE EIGHTEENTH CENTURY
—THE REGENCY QUESTION, THE ROUND ROBIN—
ALLEGED CORRUPTION—THE WHIG CLUBS.

IN October, 1787, the Duke of Rutland, a very able and successful Viceroy, died at the early age of thirty-three, and the Marquis of Buckingham, who, when Lord Temple, had in 1782 filled the office of Lord Lieutenant, was appointed to succeed him. Mr. Lecky tells us that, at this period, "the annual deficit had disappeared," and that "prosperity was advancing with rapid strides".¹ The first statement is contrary to fact; the truth being, that during the whole existence of an independent Irish Parliament, there was not a single year without a deficit. The second requires a careful examination, as some Irish politicians at the end of the century maintained that their country had been prosperous for some years before the Legislative Union.

It was to have been expected that, when the members of the Irish Parliament had obtained their independence, they would have endeavoured to live within their means, and to establish an equilibrium between their revenue and expenditure. But economy of the national resources was unknown to that Assembly, and from 1782 we find a constant increase in their profusion. In a very remarkable speech delivered in 1787, Sir Hercules Langrishe enumerated the causes of the "exorbitant expense" which Parlia-

¹ *History*, vi., p. 412.

mentary independence had introduced.¹ In 1789, the Chancellor of the Exchequer complained of the "monstrous expense" incurred for public buildings and inland navigation, and stated that the demands of Parliament in that year, for these purposes only, would probably amount to £324,000. At the same time, he specially called the attention of the Committee of Supply to "the enormous sums which the nation had expended on inland navigation without effecting anything except in the instance of the Grand Canal; in every other case, the projectors had not only wasted the public money, but injured themselves".² The result of this extravagance was a long and uninterrupted series of deficits. In 1783, the revenue was unequal to the expenditure, and £300,000 was borrowed.³ In 1784, the expenditure exceeded the revenue by £102,292.⁴ In 1785, the deficit was £123,311.⁵ In this year, £200,000 was borrowed,⁶ and new taxes to the amount of £140,000 a year were imposed; yet in the following year, *viz.*, 1786, the deficit was £106,148.⁷ In 1787, it was £180,052.⁸ In

¹ *Irish Debates*, vii., p. 136.

² *Ib.*, ix., p. 159.

³ Clarendon, *Revenue and Finances of Ireland*, p. 114.

⁴ Report of the Committee of Accounts, *Commons' Journals*, xii., Append., p. 103.

⁵ Report, etc., *Ib.*

⁶ With this loan a strange system was begun. To make it appear that the loan was raised at a low rate of interest, tickets in the public lottery were given to the subscribers at a much cheaper price than they brought in the market. In the present instance, every subscriber of £1,000, that is, £750 in debentures, and £250 in Treasury bills, received 160 lottery tickets of £5 each at par. By these means, £150,000 was borrowed in debentures at 4 per cent., and £50,000 by bills at £4 11s. 3d. per cent. (*Commons' Journals*, Append., p. 398). In fact, every subscriber of £1,000 obtained a bonus of at least £160. Later, this system was carried farther, and gave rise to the reduction in the interest on the national debt, mentioned by Mr. Lecky as a proof of the prosperity of the country.

⁷ Report of the Committee of Accounts, *Commons' Journals*, xii., Append., p. 436. *Irish Debates*, viii., p. 75.

⁸ Report, etc., *Ib.*, p. 656.

1788, £51,223.¹ In 1789, the deficit was about £107,000, but was reduced to £73,989, by the casual receipt of £34,000 arising from the sale of New Geneva to Lord Waterford.² In 1790, the deficit was £117,192.³ In 1791, £48,585.⁴ In 1792, £50,075.⁵ In 1793, £274,997.⁶ And in 1794, it was £731,205.⁷ It is not necessary to proceed further, as from this year the annual deficit continued to increase enormously.

The sole conception of national prosperity entertained by Irish politicians was an increase of exports. If external trade was thriving, then all was well. Instead of regarding foreign commerce as but a single item in the prosperity of their country, they looked upon it as all that was necessary. The acquisition of their independence, of freedom of trade, and the opening of the British colonies to them had effected but little in this respect. We have seen the miserable condition of Irish trade and manufactures in 1784; and as late as 1788, the Chancellor of the Exchequer lamented that the country was making no progress. "Gentlemen," said that officer, "have been anxious to find out what this secret principle is which checks all our efforts; which, notwithstanding our bounties and premiums, keeps us still behind, and which, notwithstanding the emancipation of our trade, hangs as a weight upon us, dragging us down, and repressing

¹ Report, etc., *Commons' Journals*, xiii., Append., p. 128.

² Report, etc., *Ib.*, xiii., Append., p. 338. Clarendon, p. 139. *Irish Debates*, x., p. 184.

³ Report, etc., *Commons' Journals*, xiv., Append., p. 198.

⁴ Report, etc., *Ib.*, xv., Append., p. 188. As the lottery subscription in this year exceeded the prizes by £86,583 6s. 8d., the Committee of Accounts considered this excess "so soon as received" as applicable to the current expenses of the nation.

⁵ Report, etc., *Ib.*, Append., p. 326. The lottery subscription exceeded the prizes in this year by £97,500.

⁶ Report, etc., *Ib.*, Append., p. 509. The lottery subscription in this year exceeded the prizes by £40,500.

⁷ Report, etc., *Ib.*, xvi., Append., p. 81.

the energy of our exertions.”¹ But the extraordinary expansion of British commerce, after the general peace of 1783, carried the trade of Ireland with it, and her exports soon began to rise. One instance will illustrate the effect of British bounties and British credit on Irish exports, and the advantage to Ireland derived from her participation in the growing commerce of Great Britain. The average expense of freight, commission, wharfage, and other incidents attending the import of Irish linen into British ports in order to its export from thence, was $5\frac{1}{2}$ per cent,² yet in 1789, three million and a half yards of Irish linen were exported from Great Britain, and in 1799 the export rose to nearly seven million and a half.³ The Chancellor of the Exchequer, who in 1788 had bewailed the stagnant condition of Irish trade, was able in 1790 to congratulate the Commons on an increase of £800,000 in their exports.⁴ The growth continued up to 1799, when Ireland exported annually to Great Britain to the value of more than five and a half millions sterling,⁵ while her export to the rest of the world was about half a million.⁶

But the internal state of the country was deplorable. The debates in Parliament and the new Coercion Acts reveal the true condition of the kingdom. Disorder, turbulence, and extreme poverty prevailed throughout it. At the time we are told that prosperity was rapidly advancing, the disturbances in the South had been somewhat checked

¹ *Irish Debates*, viii., p. 276.

² Report of the Board of Trade, 1780, given in Lord Sheffield's *Manufactures and Trade of Ireland*, p. 80.

³ Clarke's *Commercial and Civil State of Ireland*, Dublin, 1799.

⁴ *Irish Debates*, x., p. 155.

⁵ Speaker's Speech, 11th April, 1799.

⁶ £511,349, of which £329,107 went to America, and to all other parts £182,242. Table annexed to Lord Auckland's Speech, 1799, published separately.

by the military, and with difficulty prevented from spreading into Connaught.¹ But they had been checked only, for, in the following year, the Secretary of State declared in Parliament that Captain Right was again busy and issuing his proclamations.² There was hardly a corner of the kingdom that had not supplicated for military protection as the only means of safety.³ Though the country was wretchedly poor, drunkenness was universal, and destroyed the health, the morals, and the industry of the people. The number of unlicensed houses for the sale of spirits in the kingdom was incredible. It appeared from papers, laid before a committee appointed by the Commons to consider the excessive use of ardent spirits, that nearly every seventh house in Ireland was a whisky shop, or about 90,000 in all.⁴ In the county Kildare, close to Dublin, there was not "in twenty-five miles" a single licensed house, though everywhere unlicensed spirits were sold.⁵ Crime kept pace with intemperance. Women were frequently taken from their families and carried off to be married against their will.⁶ In 1787, a member declared in the Commons that it was unwise to scandalise the kingdom in the face of the world, by inserting in the newspapers proclamations respecting the rapes, robberies, and assassinations committed in it, and was told by the Chancellor of the Exchequer that it was necessary to describe acts "disgraceful and shocking to humanity in order to bring the perpetrators to justice".⁷

¹ *Irish Debates*, vii., p. 212.

² *Ib.*, viii., p. 65.

³ *Ib.*, vii., p. 213.

⁴ *Ib.*, xi., p. 68.

⁵ *Ib.*, p. 49.

⁶ "What shall we say to the daily practice of carrying away women? An honest, industrious farmer, by great care and labour, lays by four or five hundred pounds for his daughter. No sooner is this known than some ruffian in the neighbourhood assembles a gang of two or three hundred banditti, forces the farmer's house, drags the girl out, throws her across a horse, and so carries her off to the next priest, where she is compelled to marry him or suffer worse" (*Irish Debates*, vi., p. 87).

⁷ *Ib.*, vii., pp. 37, 38.

The magistrates were so incapable or remiss that an Act was passed in 1787 to enable the Lord Chancellor to cancel the existing commissions of the peace, and to appoint such persons as would execute the laws honourably and for the benefit of the country.¹ The revenue was not honestly collected, though the expense of collecting it was double that in England; and the frauds on the excise were enormous. In 1786 and 1787, the Chief Commissioner of the revenue estimated the defalcations in that branch at £361,349² annually.

It is idle to speak of the prosperity of a country which was removed from a civil war by the short interval of ten years, and in which the peasantry were in a state of abject misery and yet multiplying like rabbits. A long and melancholy chain of evidence testifies to the lamentable condition of the most numerous class in the kingdom. Swift wrote after a famine, but we are now speaking of the normal condition of the Irish peasant during the 18th century. In 1735, Bishop Berkeley asked "whether there be upon earth any Christian or civilised people so beggarly, wretched and destitute as the common Irish". In 1764, Bush wrote: "I never met with such scenes of misery and oppression as this country in too many parts exhibits".³ In his survey in the south of Ireland in 1775, Dr. Campbell declared that if he had been aware, before he started on his tour, of the sights of misery which were to present themselves on the journey, he would have turned back.⁴ In 1783, a member thus described the state of the peasantry in the House of Commons, "the Irishman feeds the cattle

¹ 27 Geo. III., c. 40. "An Act for the better execution of the laws, and preservation of the Peace within counties at large."

² *Irish Debates*, vi., p. 254; vii., p. 119.

³ *Hibernia Curiosa*, 1769. An Account of a Tour in Ireland in 1764.

⁴ *Philosophical Survey of the South of Ireland*, p. 211.

whose flesh he is debarred from tasting. As to clothes, he has scarcely any; as for habitation, he has perhaps some miserable hovel, whither an Englishman would not venture to turn his beast. Here he, with an unhappy wife and wretched offspring, must endeavour to drag out existence, half starved and half famished with cold.¹ Four years later, Fitzgibbon stated in the same place that the poor in the province of Munster lived in a more abject state of poverty than human nature could be supposed to bear, and that their miseries were intolerable.² In 1793, Crumpe drew the following picture of the Irish peasant: "Behold the Irish husbandman sally forth to his work barefoot and covered with rags; behold his ruinous hovel, built of mud, covered with weeds, and pervious to every shower that falls, and every pinching gale that blows. Behold him seated, after a hard day's labour, by a fire gleaned perhaps from the furze brake that overspreads his land, involved in smoke, surrounded by a naked offspring, and sharing among them his dry and scanty meal".³ Such being the condition of the peasantry, we cannot wonder at the statement made in 1787 by Hely Hutchinson that, for twenty-seven years before the time he spoke, the kingdom had been "infested" with insurrections,⁴ nor that all the restlessness and turbulence engendered by misery still existed in it.

The rejection by the Irish Parliament of a Commercial Union in 1785 had convinced many of the necessity of a Legislative Union. Great Britain had, on that occasion, offered to Ireland great and manifest commercial advantages upon the only terms she could, with justice to her own merchants, concede them; and they had been declined on the ground that they tended to subvert the independence

¹ *Irish Debates*, iii., p. 127.

² *Ib.*, vii., p. 59.

³ *Means of Providing Employment for the People*, p. 225.

⁴ *Irish Debates*, vii., p. 195.

of the Irish legislature. It thus appeared that the pride and jealousy of independence defeated a measure of infinite public utility, and prevented Ireland from accepting a full participation in the commerce of Great Britain. An impediment to the prosperity of their country, arising from the separation of their Parliament from that of Great Britain, must have operated powerfully in turning the minds of thoughtful men to the consideration of a Union. This tendency was greatly strengthened by what occurred four years later, when a vast majority of the Lords and Commons, under the influence of selfish interest and party zeal, did not hesitate to endanger the connection between the two countries, and to violate their own fundamental laws which secured it. Advantage was taken of the temporary illness of the King to assert Irish independence in a manner hazardous to the unity of the Empire, and to differ ostentatiously from the Parliament of Great Britain on a question which the Irish Parliament was precluded by Irish law from entertaining. This conduct alarmed all those who placed their security in British connection, and dreaded disputes between the two countries. They were well aware that the occasions for differences between the two Parliaments were as numerous as the subject matters of legislation which affected the interests of both kingdoms. By slow degrees the opinion grew that a Legislative Union was the only means of drying up for ever the sources of international dissensions which might lead to separation. The evil of such differences was admitted by the Anti-Unionists in 1799. In this year a bill was introduced by them to prevent the possibility of a dispute on the same question, which we are now about to consider. As the bill provided for a single case only, it was dropped as inadequate. By dropping it, its proposers confessed that no mere change in the law could remove the dangers inseparable from the

existence of two independent legislatures in the same Empire.

On the 20th of November, 1788, the illness and incapacity of the King were announced in both Houses of the Imperial Parliament. In an early stage of the debate on the provision to be made for supplying the defect in the exercise of the Executive, Fox advanced the opinion that the Prince of Wales had as clear a right to assume and exercise the powers of sovereignty during the King's illness as if the throne were vacant by death.¹ Pitt, on the other hand, declared that the Prince, being a subject, had no greater right than any other individual in the kingdom, and that it was subversive of the Constitution to say that the Prince might seat himself on the throne during the lifetime of his father. Pitt's opinion was adopted, and it was resolved that it was the right of the Lords and Commons to provide the means of supplying the defect in the personal exercise of the royal authority in such manner as the exigency of the case might require. It was admitted on all hands that the present case differed from that of 1688, and that the Revolution did not furnish a precedent.² At that time the throne was vacant, now it was full, and the incapacity of the King might be temporary only. As the King was still on the throne, the Houses were careful not to dethrone him by giving the fulness of royal authority to another during his illness, and therefore determined to appoint an assistant to the King, and to confer on that

¹ *Parliamentary History*, xxvii., p. 706. He qualified this broad statement by saying that the Houses had the right to pronounce when the Prince ought to take possession and exercise his right.

² Thus Fox said : " The present situation of affairs had been compared to the Revolution, but, in fact, it was no way similar. The throne had then been declared vacant, and the rest of the Constitution remained. Now the throne was declared full, but its authority was suspended " (*Ib.*, p. 765).

assistant an office of trust under the Crown. They also desired that, when the King should be restored to health, he should not find a solid and permanent interest, created during his incapacity, to embarrass him on his resumption of his royal authority. To secure the first of these objects, they resolved to invest the person empowered by them to supply the defect in the Executive, not with full royal powers, but with such only as were necessary to carry on the government of the country. The second was effected by withholding from the person to be appointed the power of conferring peerages and filling the Upper House with creatures of his own ; by preventing him from anticipating the King's authority by reversions, or fettering it by grants of offices and pensions for life ; and by restraining him from disposing of the King's real or personal property. Though the Houses rejected the idea of a title *de jure* on the Prince, and declared that it was their right alone to provide for the defect in the exercise of the Executive, they considered that the Prince had the best claim to the administration during his father's illness. Accordingly, on the 27th of January 1789, a committee was appointed to wait on the Prince with the resolutions of the Lords and Commons, and to express to him a hope that he would accept "the weighty and important trust proposed to be invested in his Royal Highness as soon as an Act of Parliament should have been passed for carrying the said resolutions into effect¹". The Houses put aside the idea that they could confer a regency on the Prince by address, on the grounds, that the word regency was unknown to the law, and that the office had no existence until the Act which created it had been passed. On the 31st of the same month, the Prince formally intimated his intention of accepting the trust subject to the conditions

¹ *Parliamentary History*, p. 1,100.

imposed by the Houses. A bill "to provide for the care of his Majesty's royal person, and for the administration of the royal authority during the continuance of his Majesty's illness¹" passed the Commons and was sent up to the Lords; but all further proceedings were put an end to by a notification to both Houses of the King's convalescence on the 19th of February.

The situation in Ireland at this juncture was wholly different from that in Great Britain. No inconvenience was felt in that country from the defect in the Executive, for the authority of the Lord Lieutenant was sufficient. The incapacity of the King did not attach upon his Lieutenant's commission so as to vitiate any of the powers conveyed by it. These powers were so extensive that the executive government of the country might have been carried on as usual, save with respect to a very few appointments excepted from his commission, and to grants for life.² The authority of the Lord Lieutenant was complete in all cases where the King's sign manual was not required.³ Though he could not summon a new Parliament without the "particular directions" of the King, he was empowered by his patent and the instructions accompanying it, to prorogue, adjourn and dissolve an existing Parliament.⁴ In fact, at the time the Irish Parliament met, the Lord Lieutenant had carried on the executive government from the 20th of November in the preceding year, and had, since that date, both prorogued the Parliament, and again convened it. The continuation of his powers was never doubted. There was therefore no reason for the

¹ *Parliamentary History*, p. 1,258.

² The Marquis of Buckingham to Grenville, *Dropmore MSS.*, i., p. 369.

³ "The authority of the Lord-Lieutenant was complete in all cases where the King's sign manual was not necessary," per Fitzgibbon (*Irish Debates*, ix., 10).

⁴ Buckingham to Grenville, *Dropmore MSS.*, i., p. 392.

indecent haste with which both Houses of that Parliament approached a most momentous question. In addition to this consideration, they were bound by their own laws and the Constitution of Ireland to await the decision of the Imperial Parliament in all cases affecting the royal authority. Nevertheless an immense majority in both Houses, eager to recommend themselves to the new administration expected to be appointed by the Prince, and to retain their patronage and offices, violated their own laws which secured the connection of the two countries, and imperilled the single tie between them, namely, the identity of the Executive.

By the Constitution and statutes of Ireland, her Crown, with all powers and prerogatives appertaining to it, was inseparably annexed to that of England. An Irish statute in the time of Henry VIII. enacted that the Kings of England should be always Kings of Ireland¹; that is, that the Executive should be the same in both countries. This statute was never questioned in the Irish Parliament, and was confirmed by a subsequent one which declared that the kingdom of Ireland, and all styles, titles, majesty, prerogatives, etc., pertaining to the same, were justly depending upon, belonging, and for ever united to the Crown of England.² The effect of these statutes was that the King of England was *ipso facto* King of Ireland, no matter in what way he had obtained the English Crown. Accordingly, the English Acts altering the succession have not been re-enacted in Ireland, for, when the English Parliament disposed of the English Crown, they likewise disposed of the Irish Crown. Thus, when William III. was acknowledged as King of England, the Irish Parliament by their Act of Recognition admitted that the Crown of Ireland followed the grant of

¹ 33 Hen. VIII., c. 1.

² 4 Will. and Mary, c. 1.

that of England, and that the title of the English sovereign to be King of Ireland did not require the sanction of an Irish Act. Later the same course was followed. The title of the House of Brunswick was a creation of the English Parliament exclusively, and when the first of that line ascended the throne of Great Britain, the Irish Parliament did "recognise and acknowledge that the kingdom of Ireland and all titles, styles, royalties jurisdiction, rights, privileges, prerogatives and preheminences royal thereto belonging, are most rightfully and lawfully vested in his Majesty, King George.¹ These statutes demonstrate that the Irish Executive, being a prerogative of the Irish Crown, was with that Crown for ever annexed to the English Crown, and was therefore withdrawn from the power or consideration of the Irish Parliament. Or in other words, as the Crown of Ireland, being by their own laws united and annexed to that of England, was beyond their reach, so also were all the prerogatives and rights appendant to it, and among these was the exercise of the Irish Executive.

If any doubt as to the identity of the Executive in both countries remained, it was dispelled by an Irish Act which had been passed only seven years before, and which alone was adequate to convince the Irish Houses that they could not, consistently with their own laws, take a step in the matter, but were bound to await the decision of the British Parliament. An Act of 1782 provided that no Parliament should be called in Ireland without a license under the Great Seal of Britain, and that no Irish bill should become law unless returned from England under the same Seal.² This Act confirmed the identity of the Executive in both kingdoms, for it vested the power of summoning a Parliament and of giving effect to Irish legislation in the person

¹ 2 Geo. I., c. 2.

² 21 and 22 Geo. III. c. 47. Known as Yelverton's Act.

who was in possession of the Great Seal of Britain. As long as this law existed, an Executive appointed by the Irish Parliament could not summon a Parliament, and would be obliged to refer all Irish bills to the Executive appointed by the British Parliament. This position was declared to be unquestionable by the leader of the anti-Unionists in 1799. "It is clear," said the Speaker of the Commons, "notwithstanding what passed in 1789, that the Act annexing the Crown of Henry VIII. extends to the person authorised by Britain to administer regal power, whether King, Queen or Regent. At the Revolution, the British Parliament altered the succession to the Crown, and, when the event took place, the successor became our sovereign through their Act under ours of Henry VIII; and so would a Regent, invested by them with royal authority, become ours without any Act on our part. Our law of 1782 concerning the Great Seal puts it out of doubt; whoever is Regent of Britain has that Great Seal; the functions of the Irish legislature must cease without its use, and, therefore, the Regent of Britain alone can represent the third estate of the Irish legislature."¹ The duty of the Irish Houses was to do nothing, but to await the decision of those of Great Britain, and then to pass an Act of Recognition.²

Grattan was in England while the debates which the King's illness had given rise to were going on in the Imperial Parliament. During his stay there he had many interviews with the Prince of Wales, Fox, Lord Loughborough, and with Lord Spencer and Mr. Pelham, who were to be sent to Ireland as Lord-Lieutenant and Chief

¹ Speech of the Speaker, 11th April, 1799.

² A remark of Mr. Lecky shows that he knew nothing of this matter. He says: "The real question at issue was, whether under the peculiar circumstances of the constitution of Ireland and the connection of the two Crowns, the proper mode of investing the Prince of Wales with the Regency was by address or by Bill" (vi., p. 421).

Secretary in case of the unconditional appointment of the Prince. Some kind of agreement was entered into between this party and Grattan,¹ and the latter returned to Ireland pledged to support the Prince's claim to take his father's place independent of Parliament or Parliamentary restrictions.²

At the same time a Ring of borough owners was formed to oppose the existing Government and to support the Opposition in England. These men, who regarded their country as a milch cow, believed that a change of Ministry was near, and desired to derive from it some advantage for themselves. Among these several held lucrative and confidential situations under the Crown. The Duke of Leinster was Master of the Rolls; Lord Shannon one of the Vice-Treasurers; Lord Loftus was Postmaster-General; and the two Ponsonbys were in possession of high and well-paid offices. The strength of the Ring was very great, and its chiefs commanded the services of a majority in the Commons. The Duke of Leinster disposed of five members, Lord Shannon of fourteen, the Ponsonbys of sixteen, Lord Granard and Mr. Conolly of four each, and Mr. O'Neill of three—forty-six in all, or ninety-two votes on a division.³ Some of them were discontented with their present situations. One of the Ponsonbys had been lately refused a request. He had asked for the union of two offices in his favour.⁴ Lord Shannon desired a larger amount of patronage than he already possessed. He limited his wishes to "the nomination of one bishop, one judge, and one commissioner of the Revenue, besides office for himself, inferior offices for his dependants, and the whole patronage of the county and city of Cork."⁵ Lord Loftus had lately received

¹ *Grattan's Life*, iii., p. 337.

² *Ib.*, iii., p. 367.

³ Marquis of Buckingham to Grenville, *Dropmore MSS.*, i., p. 466.

⁴ Same to same, *Ib.*, p. 395.

⁵ Same to same, *Ib.*, p. 421.

the Post Office, and had made the most explicit promises of support to Lord Buckingham.¹ But future, not past, favours were the springs of his action, and he also joined the Ring. All these, together with their followers, and a few independent members in the Commons, supported the views of Grattan.

The Parliament met on the 5th of February, 1789, and the King's malady was announced in the Speech from the Throne. On the following day the Chief Secretary presented to the Commons the documents relating to the King's illness,² and then moved that an interval of ten days—that is to the 16th—should be allowed for consideration. Grattan moved an amendment, namely, that the House should sit on the 11th, and the amendment was carried by 128 to 74. When the Commons met on the 11th, Parsons, one of the members for the University, adjured them by the duty they owed their King, and by the necessity of preserving the connection of the countries unimpaired, to give the subject due consideration. The Chief Secretary told them that he expected further documents relating to the King's illness, and Fitzgibbon asked for "some decent space of time for deliberation".³ But Grattan, who had already assumed the tone and manners of a Minister, would not hear of delay, and at once moved "that the personal exercise of the royal authority was by his Majesty's indisposition for the present interrupted". Mr. Conolly then moved "that an humble address be presented to his Royal Highness, the Prince of Wales, humbly to request his Royal Highness to take upon himself the government of this realm during the continuance of his

¹ Marquis of Buckingham to Grenville, *Dropmore MSS.*, i., p. 402.

² These are to be found in the *Commons' Journals*, xiii., Append., pp. 8-45.

³ *Irish Debates*, ix., pp. 33-35.

Majesty's present indisposition and no longer, and under the Stile and Title of Prince Regent of Ireland, in the name of his Majesty, to exercise and administer, according to the laws and constitution of this kingdom, all regal powers, jurisdiction, and prerogatives to the Crown and Government thereof belonging". Both motions passed without a division, and on the same day a committee was appointed to draw up the address. On the following day the address was reported, voted and ordered to be sent up to the Lords.¹

Thus, within six days from the time this matter had come before them, the Commons, without evidence as to the present health of the King—for the latest report of his condition was dated the 13th of the preceding month—without examining a single precedent, and in direct violation of Irish law, decided the most important constitutional question that could engage their attention. The truth was, the majority were thinking of their own interests and of the rewards they might expect from the new administration. That the Prince might be the better able to compensate their services, they desired that he should be appointed without restrictions, and therefore invested him with all regal powers and prerogatives.

The more this address is considered, the greater will its folly appear. An address of the two Houses could not deprive the meanest subject of his property, yet this address purported to strip the King of his authority while he was still King of England and therefore King of Ireland, and to transfer it to a subject. The King's powers and prerogatives had been given him by law, and nothing but an Act of Parliament could affect them. The address conferred on the Prince the whole of the royal authority in Ireland,

¹ *Commons' Journals*, xiii., pp. 12, 13.

although he had consented to accept such portion only of it as the Lords and Commons of Great Britain considered necessary. It destroyed therefore the unity of the Executive, which consisted as much in the sameness of the powers exercised as in the identity of the person exercising them. As it gave greater powers to the Prince in Ireland than he was to possess in Britain, so it might have given less, and reduced the Executive to a shadow. In the face of Irish statutes declaring that the kingdom of Ireland for ever depended upon and belonged to the English Crown, this address gave superior powers to the subordinate Executive, and affected to bestow on the Prince that which could only accrue to him from his appointment in Great Britain.

But behind these absurdities there lurked the gravest dangers to the connection between the two countries. If the Irish Houses possessed the right of choosing a Regent, as they claimed, the principle of separation was established, for they might have chosen any one without regard to a nomination in Great Britain. If this address had any validity, then a separation was actually effected, and the only tie between the kingdoms—the identity of the Executive—broken, there being an Executive in Ireland and none in Great Britain. By investing the Prince with the power of giving the royal assent to Irish Bills at a time when he was not entrusted with the Great Seal of Britain, they repealed all their own statutes annexing the Irish Crown and all its prerogatives to that of England, and also their late Act which made the Seal of Great Britain necessary to Irish legislation.

The Lords concurred with the Commons in the address, and on the 19th both Houses waited on the Lord Lieutenant, and requested him to transmit it to the Prince. To this request, Lord Buckingham answered, that he did not con-

sider himself warranted by his oath of office to lay before the Prince an address purporting to invest him with powers to take upon him the government of Ireland before he should be enabled by law to do so.

On the following day, as the Viceroy had declined to transmit the address, Grattan moved that a competent number of members should be chosen to present the address to the Prince, and on his nomination four were named, who, with two deputed by the Lords, were to proceed to London and present the address to the Prince.¹ After which, Grattan proposed two resolutions which were carried. The first was that, in addressing the Prince of Wales to take on him the government of the country, the Lords and Commons had exercised an undoubted right and discharged an indispensable duty to which they only were competent. The second was a condemnation of the Lord Lieutenant's conduct; that his answer was ill-advised, that it contained an unconstitutional censure on the proceedings of both Houses, and attempted to question their undoubted rights and privileges. Two destructive amendments to the latter were moved by Fitzgibbon and Mr. Burgh, and were defeated by diminishing majorities. This was owing to a bulletin of the King's convalescence which Lord Buckingham had sent to the Commons late at night.²

The members of the Ring were alarmed by the news of the King's improvement, and, urged by the fear of losing their offices, they took a step which exhibited them in their true light—that of a self-seeking faction. They entered into an association, and, in a Round Robin, signed by twenty members of the Upper House and thirty-seven Commoners,

¹ The Duke of Leinster and Lord Charlemont represented the Lords. The delegates of the Commons were Mr. Conolly, the Right Hon. John O'Neill, the Right Hon. William B. Ponsonby and Mr. Stewart.

² Buckingham to Grenville, *Dropmore MSS.*, i., p. 417.

mutually pledged themselves to oppose any administration that should deprive a subscriber of place or pension for his conduct on the Regency question. It is hard to qualify this proceeding as it deserves. Lords and Commons enjoying high and confidential positions under the Crown, many of them Privy Councillors, combined to establish an *imperium in imperio*, and to render all independent government impossible. But the members of the association were as faithless to each other as they were selfish. Though they were supported by the Prince of Wales and the Opposition in England, and urged by them to adhere to their Round Robin,¹ they were false to their compact. The smaller men deserted first and made their peace with Lord Buckingham, and their example spread. Charles Sheridan² and one of the Ponsonbys claimed the protection of the others in vain. The latter called a meeting of the subscribers to enforce his claim. Of the inferior members, only Lord Donoughmore and Mr. Cuffe attended, and they went with the object of quarrelling with Ponsonby. Lord Loftus left town to avoid going; Lord Clifden had become a warm supporter of the Government; and Lord Shannon declared at the meeting that the Round Robin was at an end.³

Before the cabal was quite broken up, Grattan induced his supporters to make a last rally. The supplies had been voted in the Committee of Supplies, which was a committee of the whole House, for the usual time, that is for one year ending the 26th of March 1790, and the Mutiny Bill had also been agreed to up to the 1st of April in the same year.

¹ Buckingham to Grenville, *Dropmore MSS.*, i., pp. 434, 440.

² Though Sheridan was dismissed, Lord Buckingham took pity on his wife, six children, and two penniless sisters. An arrangement was made by which a pension was secured to him. Sheridan stated that he had been seduced by his brother's promises and his prospects from the Prince (*Ib.*, 440, 441).

³ *Ib.*, 441.

When these resolutions were reported to the House on the 25th of February, Grattan moved that the supplies should be granted for two months only, and that the Mutiny Bill should be limited to the same period.¹ Both motions passed. The estimates for the year had been fully stated by the Chancellor of the Exchequer, and no objection to any article had been made as long as Grattan expected to be the Minister of the new Government. Only three weeks before, when his hopes were high, he had declared that he had not "the most distant idea of impeding the ordinary supplies"². At first, when the inexpediency of his motion was pointed out in the House, he excused himself on the ground "that not having sufficient time to examine the accounts, it would be improper for the House to grant a long money bill".³ But a little later he acknowledged the true reason. He thought the Lord Lieutenant would prorogue the Parliament if the supplies were granted for the usual time, and said "it was wise to prevent him carrying a measure of revenge into execution."⁴

Two days later, that is, on the 27th, the delegates, who had carried the address to London, presented it to the Prince. It was a proper ending to the factious game that had been played. Eight days after the recovery of the King had been notified to both Houses of the Imperial Parliament,⁵ the Irish delegates gravely presented to the Prince their address requesting him to take upon himself the government of Ireland during the King's illness.

Mr. Lecky concludes his account of a crisis which he did

¹ *Commons' Journals*, xiii., pp. 22, 23; *Irish Debates*, ix., pp. 179, 185.

² This was on the 7th of February (*Irish Debates*, ix., p. 29).

³ *Ib.*, ix., p. 180.

⁴ *Ib.*, p. 195. It is instructive to read Mr. Lecky's version of this abuse of the power of the Commons: "In order to secure that Parliament should be sitting during the continuation of the case, the chief supplies were only granted for two months" (vi., p. 428).

⁵ 19th February. *Parliamentary History*, xxvii., p. 1,293.

not understand by stating that "corruption of the most wholesale description was again resorted to. Seven peers were created, nine others were promoted; several baronets were made; £13,000 a year more was expended in pensions, and a crowd of new and often sinecure places were created.¹" This paragraph deserves attention as an example of the way in which Irish History has been written. If it were true that sixteen peers had been created or promoted for services on this occasion, the number would not have been too great. Twenty-six members of the Upper House and seventy-four in the Lower had steadily supported the Government on a most momentous question, and against the most powerful cabal which had ever existed in Ireland. All the subscribers to the Round Robin ought to have been dismissed for their attempt to overawe the Government, and their places and pensions given to others, whereas only some were so treated, and the rank and file allowed to make their peace. In any other country the whole body would have been punished; unfortunately this course was not possible in Ireland, where the members of the Round Robin, patronised by the heir to the Crown, and supported by the Opposition in England, might have prevented the business of the country from being carried on. But the statement is groundless. The number of peers promoted or created for their services on this occasion was five. The Earls of Tyrone and Hillsborough were advanced to marquises; and Messrs. Alexander and Pery were created barons, together with Fitzgibbon, whose merits were beyond praise or reward. The others were created or promoted because they held promises made to them on former occasions by the Duke of Rutland or by the King.² It is equally untrue that £13,000 was expended in pensions to reward the supporters

¹ Volume vi., p. 429.

² Lord Buckingham to Grenville, *Dropmore MSS.*, i., pp. 426, 430, 436.

of the Government. It is highly probable that not a penny was expended in this manner. In 1790, when Lord Buckingham had left Ireland, three Parliamentary papers were drawn up by the Committee of Accounts. One was a statement of the pensions, amounting to £7,891 5s., which had ceased during Lord Buckingham's administration. The second was a list of all pensions placed on the Civil Establishment during the same period.¹ Their total amount was £13,040. Of this sum £4,000 a year was granted to the Duke of Gloucester, and £1,700 to Mr. Orde, Chief Secretary to the Duke of Rutland in the late administration; £1,400 was given before the King's illness; ² £1,200 in continuation of pensions which had ceased; of the remainder, £2,040 was given to ladies. The third paper was an account of the pensions, three in number, placed on the Military Establishment by Lord Buckingham.³ Their total amount was £1,323 5s. Of this sum £1,000 was granted to the dismissed Secretary of War, Charles Sheridan; £50 to George Ridsdale; and £273 15s. to Lawrence Parsons. Suspicion may point to this last pension; but Lawrence Parsons, afterwards second Earl of Rosse, was one of the most independent men in Ireland, not to speak of the smallness of the pension when contrasted with the one granted through pity to a political opponent. The truth about the new offices was this: Lord Buckingham had discovered a most scandalous scene of fraud in the Ordnance Office. Large sums of money had been made away with, 1,500 barrels of powder had disappeared, and innumerable other frauds on a smaller scale had been committed.⁴ He was,

¹ *Commons' Journals*, xiii., Append., pp. 271, 273.

² For the time of granting these pensions, see the general lists of pensions for the years 1789 and 1790 (*Ib.*, Append., pp. 102, 176).

³ *Ib.*, Append., p. 270.

⁴ Lord Buckingham to Grenville, *Dropmore MSS.*, i., pp. 352, 358. See also *Irish Debates*, x., p. 232, and xi., p. 99, for details as to the system of speculation.

therefore, obliged to dismiss some officers and to replace them with others. This took place in August, 1788, before the King's illness. Later on in the same year, and also before the King's illness, he had determined to separate the Boards of Stamps and Accounts, "most unaccountably joined," as he considered, and to establish a distinct Board of Stamps.¹ When we remember that in the year 1789 the Irish stamp duties were collected at an expense of 18 per cent.² we cannot but bless the amending hand.

Dismissal from a lucrative situation under the Crown in Ireland altered at once the convictions of the discarded official. George Ponsonby had declared in 1783, when a plan of reform was brought forward, that he was ready to support the existing Constitution of Ireland, under which he enjoyed every blessing, with his life and fortune.³ In the present year he had pledged himself to prove "that nothing could be more injurious to the country than a bill to restrain pensions".⁴ From this time we find him and his brother William, who had also been dismissed, in the front ranks of the Opposition, advocating a Pension Bill and supporting every project of reform even when proposed on the eve of the rebellion.

After their defeat, the principal members of the Opposition in both Houses, as the Duke of Leinster, Lord Charlemont, Grattan, the two Ponsonbys, etc., formed themselves into a society to which they gave the name of the Whig Club. As the club was intended to be a political body, they issued a declaration of the principles which were to be binding on the members. In this docu-

¹ Lord Buckingham to Grenville, *Dropmore MSS.*, i., p. 359.

² Clarendon, *Revenue and Finances of Ireland*, p. 147. Sir Henry Cavendish, in his *Statement of the Public Accounts of Ireland*, gives this matter thus: Gross produce of the Stamp Duty in 1789, £58,606 11s. 1½d.; management, £11,211 14s. 5d.; net produce, £47,394 16s. 8½d.

³ *Irish Debates*, ii., p. 235.

⁴ *Ib.*, ix., p. 18.

ment they accused the Government of a settled plan to subvert the liberties of Ireland; confirmed their adhesion to the views and doctrines expressed by them in Parliament on the Regency question; and renewed their censure on the Lord Lieutenant. They declared that they would maintain "the sacred rights of the people," though they avowed their chief object to be the defence of the constitution of 1782, which excluded three-fourths of the people.¹ On the suggestion of Lord Charlemont,² a similar club, under the name of the Northern Whig Club, was founded in Belfast, which soon outdid its parent. At its first meeting, a declaration was drawn up, the spirit of which may be judged from the first two paragraphs. (1) "That Government is an original contract between the governors and governed, instituted for the good of the whole community." (2) "That in a limited monarchy, or more properly speaking [respect being had to the constitution of these realms] a Regal Commonwealth, the MAJESTY is in the PEOPLE: and, though the person on the throne is superior to any individual, he is but the servant of the nation."³ An incident connected with this declaration is worth mentioning as showing how the separatist feeling was growing in Belfast. The declaration was drafted by Mr. Haliday, a physician in the town, and he had inserted in the draft these words: "We will maintain as sacred and inviolate our connection with Great Britain in its present form as indispensably necessary for the freedom of this kingdom in particular, and for the freedom, strength and prosperity of the empire in general". When the draft was submitted to the committee, this sentence was thrown out.⁴

¹ See the Declaration in *Grattan's Life*, iii., p. 434.

² *Manuscripts of Lord Charlemont*, ii., p. 110.

³ *Belfast Historical Collections*, p. 335.

⁴ Haliday to Charlemont, *Manuscripts of Lord Charlemont*, ii., pp. 115, 117.

On the 16th April, 1790, this club issued an Address to the Electors of Ireland, the first article of which announced the dissolution of Parliament in the following words: "The third estate of Parliament no longer exists; the power of regenerating it reverts to you; and never was a wise, a faithful, a spirited use of that power more loudly called for. The corrupt support given in the late session by placed and pensioned majorities, without pretence to argument, decency or ability, to an administration equally destitute of them all, in measures avowedly hostile to the rights, liberties and prosperity of this country—proclaims your danger, points out your defence, and challenges your best exertions."¹ The Dublin club was not behind the Northern in its endeavour to destroy all authority in Ireland. In April, 1791, it nominated a committee for the purpose of disseminating Paine's *Rights of Man* throughout the country.²

¹ *Belfast Historical Collections*, p. 339.

² *Charlemont MSS.*, ii., p. 137.

CHAPTER XIX.

THE DEMAND FOR A DEMOCRATIC PARLIAMENT IN THE NORTH—THE WHIG CLUB IN BELFAST—RISE OF THE UNITED IRISHMEN—THEIR CONDUCT IN THE NORTH—THEIR PROCEEDINGS IN DUBLIN.

BEFORE entering upon an account of the last ten years of the Episcopalian Parliament, it may be well to examine some words and phrases which have been, and are, used quite too loosely.

The first is the word *Irish*. When we are speaking not of one but of three communities in Ireland, it is hard to see how this term can be applied to anything save to the natural features of the country, or to inanimate objects peculiar to it. To include under one general term three peoples wholly different in character, principles and habits only leads to infinite confusion of thought. There was no bond whatever between these three except that they dwelt on the same island, and peace between them was maintained only by the power of Great Britain. In nearly every case the word *Irish* should be excluded, and the expression *in Ireland* substituted for it. Thus, for the sake of convenience, we constantly speak of the Irish Parliament; but it is manifestly absurd to call a Parliament Irish which at different periods represented only a fourth, an eighth, or a tenth of the inhabitants of the country. Once, indeed for a short time, there did exist a real Irish Parliament in which the three communities were fully represented. But the rebellion of the Roman Catholics in 1641 put an end to

that National Legislature, and practically excluded their descendants from all subsequent parliaments. The expressions Irish Nation and Irish People must also go, as well as the term Nationality, a feeling which could have no place in Ireland. Mr. Lecky tells us "In Ireland . . . the Independence of the Parliament was supported by the strong pride and passion of Nationality,"¹ while in other pages of the same work he impresses on us the general contempt that was felt for that Assembly². The truth is, that no such feeling as nationality could arise among three discordant peoples, and no affection was felt for an exclusive Parliament which had failed to govern the country, except by the Episcopalians themselves. This latter statement is proved by the fact that no opposition was given to the Legislative Union by the Presbyterians or Roman Catholics. The only opposition to that measure came from about a half of the Episcopalians, that is a half of one-tenth of the inhabitants of Ireland, and even this opposition was largely diminished when the terms of the Union became known.³

The existing state of every country being the inevitable result of the circumstances and conditions which preceded it, it is necessary, in order to understand the feuds and dissensions which manifested themselves in Ireland after the acquisition of independence, to revert to the commencement of the eighteenth century. At that period, the situation in Ireland was very peculiar. The three communities which occupied it differed in their religion, their political aims, and their traditions. Of these, one, the Episcopalian, was enabled, by the favour and protection of England, to

¹ Vol. viii., p. 278.

² See his remarks on this subject, vi., p. 463; vii., pp. 145, 330.

³ The number of inhabitants in Ireland in 1800 was about five millions. The Episcopalians were half a million at the most. In the first of the Union debates the Government had a majority of one, so closely were the parties balanced.

possess itself of the legislature, the revenue, the army, the magistracy, the corporations, and the whole patronage of the kingdom. The other two were depressed and subjected to restrictions. The Presbyterians were excluded from all public employments, civil and military, from the magistracy, and from municipal office in the corporate towns. Though they were nominally eligible to Parliament, their exclusion from public employment and from office in the cities, towns and boroughs which returned representatives, barred their entrance in any considerable proportion into that Assembly. The Roman Catholics were bound hand and foot by the Penal laws and reduced to complete political insignificance. They were not only deprived of the franchise, and of the right to purchase land or even accept profitable leases, but they were denied the uncontrolled power of bequeathing or inheriting property.

Such a condition of affairs, from whatever causes it arose, was exceptional, unfavourable to the prosperity of the country, and productive of constant irritation and discontent in the two aggrieved communities. It could not last and was essentially temporary. It was not to be expected that the Presbyterians and Roman Catholics would long remain submissive under their disabilities or bear patiently the ascendancy of their fellow citizens. It was certain that at the first sign of weakness in the position of the dominant class, each, or perhaps both of the discontented communities together, would struggle to raise themselves to the level of the Episcopalians and put into practice their own political ideas. Indeed the history of the last seventeen years of the Episcopalian Parliament is a history of its resistance to the demands of the two other communities. The members of that Parliament were well aware that to grant the claims of these bodies in their entirety meant their own extinction ; for the numbers of the Roman Catholics alone were so

great that their admission into Parliament would soon have given them an immense preponderance in that Assembly. Harassed by the long struggle, alarmed by the universal disaffection, and foreseeing perpetual agitation in the future, the majority of the Episcopalian Parliament resolved to seek peace and security in an incorporating union.

From the first, the only hope of the Episcopalians long retaining their privileged position lay in their complete union and identification with the Power which protected them. Their policy and that of their Parliament should have been to cultivate the affection and confidence of the superior nation to which they were appendant, and to cement the connection between the two Parliaments as closely as possible. For this purpose, they ought to have refrained from all rivalry with the Imperial Parliament and recognised their own subordinate position in the Empire. Their inability to defend themselves, and the presence of domestic enemies far more numerous than they, should have admonished them to administer the kingdom entrusted to them in concert with the mother country, and to give her a commanding influence in its government. But their conduct was the very reverse of this policy. No sooner were they, at the time of the Revolution, rescued from ruin by the blood and treasures of England than they repudiated the authority of her Parliament over them, claimed equality for their local legislature, and finally, after a period of sullen and reluctant submission, extorted from her their independence at a time when she was contending against the civilised world. This was the first intimation to their enemies that they stood alone and relied on their own strength, and it was immediately taken advantage of. Within the year after the passing of the Act by which Great Britain renounced all authority over Ireland, the Episcopalian Parliament had to fight for its life. The volunteers set up an armed Parlia-

ment of their own under the name of the Grand National Convention to overawe the Dublin Assembly and to dictate the constitution of all future Parliaments. Even after this attack on the Parliament of the Episcopalians, an opportunity was opened to them of making a close and intimate alliance with Great Britain. They were offered a free and full partnership in her commerce. If this offer had been accepted, their position would have been greatly strengthened; an unrestricted Channel trade and the prosperity resulting therefrom might have reconciled the Presbyterians to their Parliament, and the Legislative Union might have been long delayed. But, infatuated by the pride and jealousy of an unreal independence, they rejected an offer which would have given them security. Four years later, under the guidance of the flashy rhetorician who had induced them to reject a commercial treaty, they accentuated their difference from the Parliament of Great Britain by claiming to regulate the royal authority and by hazarding the connection and interests of the two kingdoms.

In the inevitable struggle, it was natural that the Presbyterians should be the first to move. They were a valiant, narrow, and independent race of Republican principles and opposed to episcopacy and aristocracy. On many former occasions they had shown of what stuff they were made. In 1641, they had united for a short time with the Roman Catholics, but the union was dissolved by the Rebellion and its attendant massacres. Throughout the whole civil war which followed, they kept their quarters free from the rebels. In 1649, the Presbytery of Belfast published a protestation against the execution of the king and the "universal toleration of all religions" by the Independents,¹ a proceeding which drew down on them the testy censure of

¹ *Belfast Historical Collections*, p. 28.

John Milton. In 1689, the majority of the defenders of Derry were Presbyterians. During the American War they had sympathised strongly with the colonists in their struggle. Though their body had been admitted to public office and employment in 1780, they felt no gratitude for the tardy reparation. They knew well that this had been done not from a sense of justice, but because they formed the backbone of the Ulster regiments which constituted the strength of the volunteers, and because the Parliament required their assistance in its struggle for independence. To the House of Commons they were implacably hostile for various reasons. It had wronged them in the past ; it was influenced by a class they abhorred ; and it did not fulfil their ideas of what such an Assembly should be. They desired universal suffrage, annual elections, and a democratic House consisting not of representatives but of delegates bound to obey the instructions of their constituents ; or, as it was expressed in the second of the Dungannon resolutions in 1783, "representatives freely choosen, subject to the control, and frequently returning into the common mass of constituents". Owing to their numbers in the Ulster volunteers, they succeeded in diffusing their political sentiments among the corps in that province, and through them among the whole body. The results of this propaganda were the meeting of the delegates from 272 corps of the Ulster volunteers at Dungannon and the establishment of a Military National Convention in Dublin, which claimed an authority in no way inferior to that of the existing legislature. If this attempt had not been resisted, their convention would have visited, modified, or altered every department of the State. The Commons felt that their existence was threatened. Standing on the firm ground of the Constitution, they rejected a military reform and declared their fixed determination to maintain their just rights against all en-

croachments. Their courage saved them and the convention was dissolved.

Far from being discouraged by the failure of the volunteer convention, the Presbyterians immediately resumed their agitation for reform. On the 5th of January, 1784, at a very numerous meeting of the freeholders of the county Antrim, a petition to the House of Commons in favour of a radical reform of Parliament was adopted, and instructions were given to the representatives of the county to support the plan of reform which had been agreed to in the convention.¹ The resolutions passed and the petition prepared at the county meeting were adopted by the Belfast troop of volunteers, who offered to support with their lives and fortunes the freeholders in the promotion of parliamentary reform, and recommended the volunteers of Ireland "to improve their discipline and increase their numbers".² A few days later the inhabitants of Belfast drew up a petition of their own, and also adopted the county petition, which prayed the Commons to reconsider the plan of reform which had been approved in the National Convention. At the same time they published an address to the volunteers, in which they protested against the rejection of the Convention's plan, and solemnly besought them "to increase in numbers and to improve in discipline, for the interests of your country urgently demand it".³ In March of the same year, delegates of thirty-one corps of volunteers met in Belfast to settle the time and place for the review of that year. At this meeting it was unanimously resolved not to associate with any corps under the command of officers who had signed a petition to Parliament in opposition to the sense of the people on the subject of a more equal representation.⁴

About this time, *viz.*, 1784, the Presbyterians, believing

¹ *Belfast Historical Collections*, p. 271.

² *Ib.*, p. 272.

³ *Ib.*, p. 277.

⁴ *Ib.*, p. 290.

that without the assistance of the Roman Catholics they could not obtain the reform they desired, began to enlist that body in the contest, and to agitate for the extension of the suffrage to them. The volunteers of Belfast and its neighbourhood led the way in this new policy. They invited into their ranks persons of all religious persuasions, and opened their drills for the instruction of all who came.¹ In July, 1784, after a review of fifty-one corps, horse and foot, the volunteers presented an address to Lord Charlemont deploring "the disunion which, by limiting the right of suffrage and circumscribing the number of Irish citizens, has in a high degree tended to create and foster that aristocratic tyranny which is the fountain of every Irish grievance, and against which the public now unanimously exclaim".² In the same month the inhabitants of Belfast, at a public meeting, passed a resolution that the gradual extension of the suffrage to the Roman Catholics would be a measure fraught with the happiest consequences; and also adopted a most absurd and seditious petition to the King. This petition prayed his Majesty "to dissolve a Parliament which, by reiterated Acts, hath completely lost the confidence of his subjects; and further, as a measure founded on such dissolution . . . to give efficacy to the determinations of the civil convention of actual delegates of the Collective Body, to sit in Dublin on the 25th October next,³ either by issuing writs agreeably to such plan of reform as shall by them be deemed adequate, or by co-operating with them in other steps for renovating the Constitution, for overturning oppressions that, under the semblance of law, extinguish the spirit of our free Constitution, whilst they merely suffer its external forms to remain".⁴ One copy of this petition

¹ *Belfast Historical Collections*, pp., 293-4.

² *Ib.*, p. 307.

³ Napper Tandy's *National Congress*.

⁴ *Belfast Historical Collections*, p. 311.

was sent to the Duke of Rutland for transmission to England, but was returned with strong expressions of disapprobation; another was sent to Pitt, who refused to present it.¹ Notwithstanding these rebuffs, the freeholders of the county Antrim and the inhabitants of Belfast persisted in electing delegates to the congress. The sheriff of the county having refused to convene a meeting for this purpose, a very large number of freeholders, on the public requisition of 872 of their body, assembled and elected five delegates. At this meeting another petition to the King was adopted, praying him "to avert the common danger either by recommending to Parliament the immediate adoption of measures for radically improving the representation of your Commons, or by such other interposition of the powers vested in the Crown as may best restore confidence in the legislature and revive the essential principles of free government in your empire".² The town of Belfast also elected five delegates to the congress, of whom the Bishop of Derry was one. As has been said before, the congress met and was a complete failure.

It is to be observed that all this emotional agitation took place some years before the French Revolution, the effects of which in Ireland have been greatly exaggerated. The men who attended these meetings and clamoured for a radical reform of Parliament had no grievance or oppression to complain of, nor did they ever specify any injustice done them or distress felt by them. Yet among them the rebellion of 1798 took its rise. The county of Antrim and the town of Belfast were the most flourishing places in the kingdom, their wealth was great and was rapidly increasing.³ What these prosperous and discontented citizens

¹ *Belfast Historical Collections*, pp. 313-317.

² *Ib.*, pp. 318-323.

³ In 1787, the Duke of Rutland made a tour in the north of Ireland. He thus speaks of Belfast: "Belfast is a giant of a town, flourishing in

wanted was a democratic House of Commons under their control, that by means of it they might attack episcopacy and aristocracy, and, not being able to obtain their desire, they spoke of themselves as being in a state of slavery. The letters of Dr. Drennan,¹ the son of a Presbyterian clergyman, which were published in 1784 under the name of Orellana, explain the political views of his co-religionists. These letters were addressed to his "fellow-slaves". They asserted that the interests of the nation were subject to the absolute will of men, elected by and dependent on a selfish aristocracy; that the people were not free, as they were taxed by these men; and that the government of Ireland was not a limited monarchy, but an oligarchy. To remedy this state of affairs the author called upon the Episcopalians, the Presbyterians, and the Roman Catholics to embrace each other in the spirit of Christianity and to unite in a sacred compact in the cause of their sinking country.²

After the failure of Napper Tandy's National Congress there was a lull in Belfast until the establishment of the Northern Whig Club in the early part of 1790. At this time the French Revolution had not attracted much attention. This club, like its fellow in Dublin, was a centre of sedition. We have already mentioned the political creed which every member signed before his admission; the second article of which was "that in a limited monarchy, or more

everything. Five hundred houses have been built in a very short space of time—I think within a year. Their trade is immense. They go to the West Indies, and to almost every quarter of the globe. A single ship paid this year £10,000 King's duty. The revenue collected from this port amounts annually to £120,000. It holds about 16,000 inhabitants. It is full of Presbyterians, and was much connected with the Americans during the calamitous contest" (*MSS. of the Duke of Rutland*, iii., p. 420).

¹ Dr. Drennan was an intimate friend of Wolfe Tone, and a member of a small political club established by Tone in Dublin during the winter of 1790.

² These letters are to be found in *Belfast Politics*, published in 1818.

properly speaking, respect being had to the Constitution of these realms, a Regal Commonwealth, the Majesty is in the People; and though the person on the throne is superior to any individual, he is but the servant of the nation". Shortly after its formation, the Parliament was dissolved and a new one summoned for the 20th of May. To influence the elections, the club issued an address to the electors of Ireland, denouncing the administration and the conduct of the late Parliament in the strongest terms.¹ They also printed and circulated at their own expense a pamphlet made up of extracts from a *Review of the last Session* written by Wolfe Tone.² By adopting as their own the principles and precepts of a man whose objects were, as he tells us, to subvert the Government and to break the connection with England, the club manifested that, at this time, there was no great diversity between their political views and those of Tone. Yet we find that Lord Charlemont, Lord Moira, Lord de Clifford, Robert Stewart, afterwards Lord Castlereagh, and John O'Neill, afterwards Lord O'Neill, were members of the club.

During the year 1790, the French were principally engaged in constitution making; and their movements excited but little interest in the North. But early in 1791 the mob of Paris had prevented the King from going to Saint Cloud, and Louis was virtually imprisoned in his palace.³ On the 15th of June, the Whig Club resolved to meet on the 14th of July in order to celebrate the French Revolution. The suggestion was taken up by the volunteers and the inhabitants of the town, and on the appointed

¹ The address is given in *Belfast Historical Collections*, p. 339.

² Haliday to Charlemont, *MSS.*, etc., of *Lord Charlemont*, ii., p. 125. The pamphlet, as published by the Club, is to be found in *Tone's Life* i., p. 299, American edition. Future references will be made to this edition.

³ 18th April;

day Belfast saw a larger assemblage than had ever before been collected in it.¹ The festival commenced with a procession in which volunteers, horse, foot and artillery led the way. They were immediately followed by a triumphal car on which a great standard, supported by two volunteers, was erected. One side of the standard represented the liberation of prisoners from the Bastille. The reverse "contained a large figure of Hibernia in a reclining posture, one hand and foot in shackles, a volunteer presenting to her a figure of Liberty, supported by an artilleryman resting on a piece of ordnance. Motto: 'For a people to be free, it is sufficient that they will it'". The Whig Club and a very large number of citizens, wearing a green cockade and formed in pairs, closed the procession. The whole body marched through the principal streets, and on its arrival at the Linen Hall three salvos were fired by the battalion companies of volunteers which were answered from the seven guns of the artillery. The citizens and volunteers then entered the great square, and "forming a widely extended circle" unanimously agreed to a Declaration of their sentiments on the French Revolution, which was to be transmitted to the National Assembly. After which volunteers and citizens to the number of 354 dined together, while the club closed the day with a banquet in their own house. At the public dinner in the Linen Hall one of the toasts was "an abolition of the Popery laws, and an extension of privileges to Roman Catholics". The club at their banquet made no mention of the Roman Catholics, but among other toasts drank "Thomas Paine and the Rights of Man" and "the Majesty of the People".²

¹ *Belfast Historical Collections*, p. 349.

² *Ib.*, pp. 341-357, where the proceedings and Declarations are given. The National Assembly does not appear to have answered, but replies were received from Nantes and Bordeaux.

While the Whig clubs were fostering discontent and playing at treason without endangering their necks or their properties, another body was preparing to carry out their teaching to its natural results. There was about this time in Belfast a secret committee of Presbyterians, which managed the affairs and directed the efforts of the most advanced political party in the town. Wolfe Tone was known to this committee, not personally, but as the author of a pamphlet, "An argument on behalf of the Catholics of Ireland," which was published in August, 1791. In this pamphlet, Tone contended that the people had a right to reform the legislature; that there was no National Government in Ireland; that the administration was the enemy of law and a gang of "ringleaders of sedition placed in authority"; that, to resist the influence of a foreign Government which ruled the country, union among all its inhabitants was necessary, and that therefore the Roman Catholics should be admitted to the electoral franchise and to Parliament.¹ The Belfast men were delighted to see their own doctrines ably set forth, and "printed a very large edition which they dispersed through the whole north of Ireland."² Tone was invited to Belfast by the secret committee, and on the 14th of October he and his friend Russell, who was afterwards hanged for high treason, were admitted into it and made their declaration of secrecy.³ We do not know exactly what share Tone took in the transformation of the committee;⁴ all that can be said with

¹ This pamphlet is to be found at the end of the first volume of Tone's *Life*.

² Tone's *Life*, i., p. 53.

³ *Ib.*, p. 142.

⁴ Tone himself merely says that he was invited to Belfast to assist in framing the first club of United Irishmen (*Life*, i., p. 53). Madden contradicts himself. In one volume he says that the Society was founded by Tone, in another that Neilson was the originator of the Society, and that Tone was the organiser and penman. Compare vol. i., p. 222, and vol. ii., p. 11.

certainty is that the committee became a club, and that at Tone's suggestion it took the name of the Society of United Irishmen. The first regular meeting of the club was held on the 18th of October, 1791, and its declaration and resolutions written by Tone were adopted. Communications were also opened with the Roman Catholic Committee, and with Napper Tandy as representative of the Dublin democrats.¹ Immediately after its formation, the society set up a paper called the *Northern Star*, in order, as Tone tells us "to give a fair statement of all that passed in France, whither every one turned their eyes; to inculcate the necessity of union among Irishmen of all religious persuasions; to support the emancipation of the Catholics; and finally, as the necessary though not avowed consequence of all this, to erect Ireland into a republic independent of England."² The editor of the paper was Neilson, and it obtained at once a large circulation, all the leading Roman Catholics throughout Ireland becoming subscribers.³ The first number appeared on the 4th of January, 1792, or within three months after the establishment of the society.⁴ The number of branches of the parent society increased with remarkable rapidity in Belfast; in January, 1792, there were four at least, in 1797 there were eighty.⁵

After a stay of three weeks in Belfast, Tone and Russell returned to Dublin with instructions to cultivate the Protestant agitators and to form a club in that city. This was easy, for Dr. Drennan, afterwards one of the chairmen of the Dublin Society, had smoothed the way for them by publishing in the preceding June the earliest prospectus of an Irish Union. This document, closely printed on a quarto sheet, of which it occupied nearly three pages and a

¹ Tone's *Life*, i., p. 145.

² *Ib.*, i., p. 67.

³ *Ib.*, p. 68.

⁴ *Belfast Historical Collections*, p. 361.

⁵ Report of the Secret Committee of the House of Commons, 1797.

half, had been distributed in the form of a circular letter with indefatigable assiduity.¹ With the aid of Napper Tandy a Society was established in Dublin, which on the 9th of November 1791 issued its first manifesto, asserting that the nation was in a state of abject slavery, and that there was no hope for it but “in the sincere and *hearty union of all the people* for a complete and radical reform of Parliament, because it is obvious that *one party alone* have been ever unable to obtain a single blessing for their country.” The manifesto adopted the declaration and resolutions of the Belfast Society, and was signed by Napper Tandy.² Tone says that the Roman Catholics flocked into the Dublin Society “in crowds”.³

It has been asserted that the Society of United Irishmen “was at first constituted for the simple purpose of forming a political union of Protestants and Catholics, and thus obtaining a liberal measure of parliamentary reform”.⁴ There never was a greater mistake. All the evidence shows that from the first the aim of the Society was to separate Ireland from Great Britain, and to establish a democratic republic. Tone acknowledges in his *Memoirs* that the design of the first Belfast Society was “to erect Ireland into a republic independent of England”.⁵ Oliver Bond, one of the earliest and most active members of the Dublin Society, deposed on oath that “Catholic Emancipation was a mere pretence”.⁶ But the best proofs are found in the original

¹ *Political Letters of Alexander Knox*, p. 139. The letter is attached to the Report of the Commons’ Secret Report, 1798.

² Proceedings of the Society of United Irishmen of Dublin, 1794. The italics given above are in the original.

³ *Life*, i., p. 58.

⁴ Lecky, vi., p. 466.

⁵ *Life*, i., p. 68. Dr. MacNeven swore that the reform the United Irishmen desired from the first was “a democratic House of Commons”. Report from the Lords’ Secret Committee, 1798. Append.

⁶ Examination of Oliver Bond, 14th August, 1798. Seventh appendix to the Report of the Secret Committee of the Lords in that year.

publications and declarations of the leaders both in Belfast and Dublin. A few extracts will enable us to determine whether their views were limited to reform and Roman Catholic Emancipation, or whether their primary designs were not treasonable.

At the time when the first intimation of an Irish Union was given by Drennan's circular letter, there was nothing to prevent political discussion or meetings of citizens to communicate their opinions. The war had not commenced, and there was no Convention Act, no Insurrection or Treasonable Correspondence Act. Yet the writer of the letter recommended that the Society he proposed should be a secret brotherhood. "Secrecy is expedient and necessary; it will make the bond of union more cohesive, and the spirit of this union more ardent and more condensed; it will envelop this dense flame with a cloud of gloomy ambiguity, that will not only facilitate its own agency, but will at the same time confound and terrify its enemies by their ignorance of the design, the extent, the direction, or the consequences. It will throw a veil over those individuals whose professional prudence might make them wish to be concealed until a manifestation of themselves became absolutely necessary. . . . For this Society is not to rest satisfied in drawing speculative plans of reform and improvement, but to be practically busied about the *means* of accomplishment. Were the hand of Locke to hold from Heaven a scheme of government most perfectly adapted to the nature and capabilities of the Irish Nation, it would drop to the ground a mere sounding scroll, were there no other means of giving it effect than its intrinsic excellence. All true Irishmen agree in *what* ought to be done, but how to get it done is the question. This Society is likely to be a means, the most powerful, for the promotion of a great end—what end? THE RIGHTS OF MEN IN

IRELAND, the greatest happiness of the greatest number in *this island*, the inherent and indefeasible claims of every free nation, to rest in this nation the *will* and the *power* to be happy, to pursue the Common Weal as an individual pursues his private welfare, and to stand in insulated independence an imperial people”.

The writer then states a number of propositions in the form of questions, each presuming that the preceding one has been answered as the proposer would wish. “What are the *means* of procuring such a reform in the Constitution as may secure to the people their rights most effectually and most speedily? What is the plan of reform most suited to this country? Can the renovation in the Constitution, which we all deem necessary, be accomplished in the *ways* of the Constitution? ‘The evil,’ says Junius, ‘lies too deep to be cured by any remedy less than some great convulsion,’ which may bring back the Constitution to its original principles, or utterly destroy it. Is this opinion still truer when applied to *this* country, or is it false? Who are the people? Can the right of changing the Constitution rest anywhere but in the original constitutive power—the people? Can the will of the people be known but by full and fair convention, to be constituted on the plan which will come recommended on the most popular authority?¹ Is the independence of Ireland nominal or real, a barren right or a fact regulative of national conduct, and influencing national character? Has it had any other effect than raising the value of a house, and making it more self-sufficient at the expense of the people? Is there any middle state between the extremes of union with England and total separation, in which the rights of the people can be fully established and rest in security? What

¹ Here two questions as to Roman Catholics are omitted.

is the form of government that will secure to us our rights with the least expense and the greatest benefit? By the BROTHERHOOD are these questions, and such as these, to be determined. On this determination are they to form the chart of their constitution, which with honour and good faith they are to subscribe, and which is to regulate their course.”¹

This is strange language in the mouth of men seeking reform—more revolutionary was never heard. It is in reality a denunciation of the connection with Great Britain and of their own Parliament. The expression, “the rights of men in Ireland to stand in insulated independence an imperatorial people” can only mean the right to separate. The secret brotherhood was to be all-powerful and the Parliament nothing. They were to decide what kind of reform was necessary; whether that reform was to be effected by constitutional ways or by some great convulsion which might restore the Constitution to its original principles or utterly destroy it; whether separation from Great Britain was essential to the establishment of the rights of the people; and finally what form of government should be set up. Though this letter declared that the will of the people could only be known by a full and fair convention, yet, as the brotherhood themselves were to decide all important questions, the convention would be a mere instrument in their hands. It is not surprising that the brotherhood desired a gloomy and impenetrable secrecy, and proposed to “throw a veil over those individuals whose professional prudence might make them wish to be concealed until a manifestation of themselves became absolutely necessary.”

¹ Drennan's Circular Letter in full, for, like all the prose writings of Dr. Drennan, it is very long winded, is given in the Appendix to the Report from the Secret Committee of the Commons, 1797.

If we now examine the declaration and resolutions drawn up in the original Belfast Society, and adopted as their own by the branches in that town and by the Dublin Society, we shall find not one word of reform, as an end, but merely as a means of opposing the power of Great Britain. "WE HAVE NO NATIONAL GOVERNMENT," they say; "we are ruled by Englishmen and the servants of Englishmen, whose object is the interest of another country, whose instrument is corruption, and whose strength is the weakness of Ireland; and these men have the whole of the power and patronage of the country, as means to seduce and to subdue the honesty and the spirit of her representatives in the legislature. Such an extrinsic power, acting with uniform force in a direction too frequently opposite to the true line of our obvious interests, can be resisted with effect solely by *unanimity, decision and spirit in the people*, qualities which may be exerted most legally, constitutionally and efficaciously by that great measure essential to the prosperity and freedom of Ireland—AN EQUAL REPRESENTATION OF ALL THE PEOPLE IN PARLIAMENT. . . . Impressed with these sentiments, we have agreed to form an association to be called THE SOCIETY OF UNITED IRISHMEN; and we do pledge ourselves to our country, and mutually to each other, that we shall steadily support, and endeavour by all due means to carry into effect, the following resolutions:—

"That the weight of English influence in the government of this country is so great as to require a cordial union among *all the people of Ireland* to maintain that balance which is essential to the preservation of our liberties and the extension of our commerce.

"That the sole constitutional mode by which this influence can be opposed is by a complete and radical reform of the representation of the people in Parliament.

“ That no reform is practicable, efficacious, or just, which shall not include *Irishmen* of every religious persuasion.

“ We have gone to what we conceive to be the root of the evil ; we have stated what we conceive to be the remedy. With a parliament thus reformed, everything is easy ; without it nothing can be done. And we do call on and most earnestly exhort our countrymen in general to follow our example, and to form similar societies in every quarter of the kingdom,” etc.¹

Here is a clear refutation of the statement that “ the Society of United Irishmen was at first constituted for the simple purpose of forming a political union of Protestants and Catholics, and thus obtaining a liberal measure of parliamentary reform ”. They themselves tell us that they wanted a National Government, and that reform and Roman Catholic emancipation were sought solely for the purpose of resisting what they call “ an extrinsic power ”. The object confessedly aimed at was to abolish the power of Great Britain in Ireland, and this was to be accomplished by a mob-elected Parliament. That the United Irishmen desired such a Parliament is beyond doubt, for we have the scheme of reform which they themselves proposed,² the essential features of which were annual elections and universal suffrage, and that too in a country in which upwards of 2,000,000 of the inhabitants were in the following year “ excused on account of poverty from paying a tax of about fourpence each ”.³ Even Grattan denounced this scheme as “ a complete, avowed, and unqualified departure from the

¹ This declaration is to be found in Tone's *Life*, i., p. 367, and in *Belfast Historical Collections*, p. 358.

² Plan of Reform and Address to the People thereon, *Proceedings of the United Irishmen*, pp. 124-130.

³ *Irish Debates*, xv., p. 278. Grattan made the number excused from payment of hearth money “ more than half of our inhabitants ” (*Ib.*, xiv., p. 80).

vital and fundamental article of the British Constitution in practice and in theory ". " It is not merely," he continues, " to those who have neither farm, freehold, nor trade, that this plan extends the right of voting. It gives the return of members to serve in Parliament to all the common soldiers, to the resident army, horse, foot, and dragoons ; to the police, to the scavenger. It goes farther ; it gives that right to all hospitals, to alms-men, to Channel Row, and every beggarman in the kingdom of Ireland. It goes farther ; it gives that right to every criminal, Whiteboys that break laws, and Defenders who steal arms ; and would thus present you with a representation of felons as well as of paupers. To such a monstrous constitution, whose frenzy, folly and wickedness must excite at once your scorn and horror, the objection is not merely," etc., etc.¹

If further evidence be required as to the original aims of the United Irishmen, it is forthcoming. About the time when Drennan published his circular prospectus, that is in June, 1791, Tone addressed a letter to a friend in Belfast in which he wrote : " I have not said one word that looks like a wish for separation ; though I give it to you and your friends as my most decided opinion that such an event would be a regeneration to this country ".² But the proceedings of the body put it beyond doubt. As early as 1792, they attempted to seduce the soldiery ; summoned the volunteers, as citizen soldiers, to resume their arms ; and made overtures through Napper Tandy to the Defenders to join them.

There is not the slightest reason to believe, as has been stated,³ that, if the plan of reform brought forward by William Ponsonby and Grattan in 1797 had been adopted,

¹ *Irish Debates*, xiv., pp. 80, 81.

² This letter is annexed to the Secret Report of the Commons, 1797.

³ Lecky, vii., p. 321.

the United Irishmen would have desisted from their designs. In a memoir delivered to the Government after the rebellion by Thomas A. Emmet, A. O'Connor and MacNeven, it is stated that, if this plan had been acceded to, they would have declined to hold any further intercourse with the French except to tell them that the difference between the Government and the people had been adjusted, and that they need not attempt a second invasion.¹ To strengthen this statement, they add: "in fact, no attempt or advance was made to renew the negotiations till April, 1797, when an agent was sent". The assertions or palliations of trapped and self-convicted traitors, who had laboured for many years to stir up a civil war and to let loose, anarchy, pillage and murder, deserve neither attention nor credit, except against themselves. But as the Committee of the Lords says, "the palpable falsehood of the assertion appears by the *Journals* of the House of Commons; for these persons have all confessed that their resident agent was despatched by them to Paris in April, 1797, with instructions to negotiate a treaty with the Directory of France; and the proposition for parliamentary reform, to the rejection of which they pretend to ascribe the mission of Lewins, was not made till the 15th of May, 1797."² There is other evidence to prove that no parliamentary reform would have satisfied the United Irishmen except their own, without which, as their original declaration asserted, "nothing could be done." In the winter of 1794, the test of the society was changed into an oath of secrecy, and the expression "representation of the Irish people in Parliament" was altered into "a repre-

¹ *Pieces of Irish History*, p. 189.

² This Report of the 30th August, 1798, with its Appendices, was printed as a separate pamphlet, and is to be found in the Haliday collection in the Royal Irish Academy.

sentation of all the people," leaving out the word Parliament. MacNeven deposed on oath that this was done "to reconcile reformers and Republicans, and because they had given up all idea of reform, and were determined on Republicanism".¹ The United Irishmen spurned the scheme of reform introduced by the Ponsonbys and Grattan in 1793, but not debated till 1794.² Three months later they denounced Grattan for scoffing at their plans, although he was, as they said, "the purchased property of the people," and, with him, the whole Opposition.³ Time effected no change in their sentiments. On the 19th of February, 1798, the Leinster Provincial Committee passed a resolution, "that they would not be diverted from their purpose by anything which could be done in Parliament, as nothing short of the total emancipation of their country would satisfy them." This resolution was agreed to by the Ulster Provincial Committee, and was communicated to the Executive Directory, which wielded supreme authority over the whole body.⁴

It is remarkable that, though the United Irishmen professed to be peculiarly the friends of the people, they never suggested a measure for increasing their happiness, relieving their distress, or promoting their improvement. They had nothing to offer them but barren declamation and political speculation. In their eyes, the poor and needy were not men to be helped and instructed; they were mere instruments of agitation. The education of the labouring classes, their social condition, and their poverty only drew from the United Society such heartless trash as the follow-

¹ Examination of MacNeven, attached to the Reports of both Houses in 1798.

² *Proceedings of the United Irishmen*, p. 127.

³ Address to the People of Ireland, *Ib.*, p. 196.

⁴ Examination of MacNeven.

ing: "*To you, the poorer classes of the community, we now address ourselves. We are told you are ignorant; we wish you to enjoy Liberty, without which no People was ever enlightened. We are told you are uneducated and immoral; we wish you to be educated and your morality improved by the most rapid of all instructors—a good Government. Do you find yourselves sunk in poverty and wretchedness? Are you overloaded with burdens you are but little able to bear? Do you feel many grievances which it would be tedious, and might be unsafe, to mention? Believe us, they can all be redressed by such a reform as will give you your just proportion of influence in the Legislature, AND BY SUCH A MEASURE ONLY.*"¹

No words can adequately describe or enumerate the misfortunes brought upon the kingdom by these murderous mountebanks, who were endeavouring to kindle a civil war that they might put their political theories into practice. From the time their system first commenced, they despatched emissaries to every part of the kingdom for the purpose of extending their views and affiliating new branches.² At first, they were cautious of alarming persons not sufficiently ripe for the adoption of their views, and endeavoured to prepare the public mind by the circulation of the most seditious publications, particularly the works of Thomas Paine. To allay the apprehensions of the loyal or the prudent, they pretended that the object of their association was the attainment of Parliamentary Reform and Roman Catholic emancipation. But they soon discovered that the mass of the people did not care "a feather"³ for either or for both

¹ The Italics and Capitals are in the original, which is a part of an Address to the People of Ireland (*Proceedings of the United Irishmen*, p. 129).

² Evidence of Samuel Neilson.

³ Evidence of Thomas Addis Emmet.

combined. Finding these pretexts ineffectual, they changed their tactics. By handbills and seditious papers, disseminated so industriously as to find their way into every village, they incessantly inculcated on the multitude that they were an oppressed people; that their misery arose from a radically bad Government, that their happiness depended on an alteration of that Government; and that as those in power were not disposed to comply with the popular wish, the people ought to form themselves into a revolutionary and irresistible mass, acting in concert and moving as one body. No efforts were untried or artifice omitted by the United Irishmen to carry out their projects. They taught the people to believe that the Society would bring about the abolition of tithes and a distribution of property, inasmuch as they would become members of a democracy which would govern the country. They took advantage of the religious feuds in the country and turned them to their purposes by representing to the Roman Catholics, that for their own protection it was necessary to become members of the United Society, as their Protestant fellow-subjects had entered into a solemn league and covenant to exterminate them. To strengthen belief in these statements, they fabricated and distributed through the provinces of Leinster, Munster and Connaught, false tests and oaths of the Orangemen's Associations. They endeavoured to destroy all veneration for existing establishments and to dissolve the regular order of the community. "The leaders of the system," says the last report of the Commons' Committee, "in order to adapt the minds of the multitude to the purposes of their treason . . . left no means unemployed which the most malignant subtlety could suggest for eradicating from amongst the working-classes every sentiment both of private and public duty. All quiet and peaceable habits, all social as well as moral obligations, it has been

their object to destroy; and the more sacred the tie, the more industriously have they laboured to destroy it. They have incited the soldier to betray his King; they have armed the tenant against the landlord; and they have taught the servant to conspire with the assassin of his master; blasting the repose and confidence of private life even in its sanctuary, effacing every law of truth, of justice, of gratitude, and of religion, except where it has been possible to make even religion itself the perverted instrument of their execrable views."

As early as 1792, attempts were made to seduce the soldiery from their allegiance. Printed papers were industriously circulated amongst the privates and non-commissioned officers; urging them to insubordination and revolt, and holding out the most tempting offers of preferment to such as should desert their colours. To deter the well affected from joining the yeomanry corps and to render the administration of justice altogether ineffectual, the most active system of terror was put in operation. Persons enrolled in the yeomanry, magistrates, witnesses, jurors, every class and description of people who ventured to support the laws, became objects of a cruel persecution in their persons, property or trade. The United Irishmen raised considerable sums of money among themselves for the purpose of defending such of their associates as were brought to trial; they had itinerant committees which went on circuit as regularly as the judges, and a bar of lawyers retained to undertake the cause of all persons committed for state offences. Entries of money appear in their proceedings as paid to procure or buy off witnesses; in many cases to gaolers for being guilty of breaches of trust, and even to under-sheriffs for returning partial panels; handbills were circulated by them to intimidate jurors, and every endeavour was made in the courts to exclude from the jury

persons unconnected with their party. About 1795, or earlier, the United Irishmen combined with a body of Roman Catholic banditti who called themselves Defenders, and became indistinguishable from them.¹ After this combination had been effected, the life of no loyal subject was safe for twenty-four hours unless he had a military guard in his house. "In the latter end of 1796 and beginning of 1797," says the same Report, "the loyal inhabitants of Ulster suffered most severely from the depredations of the United Irishmen. Throughout the Province, they were stripped of their arms; the most horrid murders were perpetrated by large bodies of men in open day; and it became nearly impossible to bring the offenders to justice, from the inevitable destruction that awaited the witnesses or jurors who dared to perform their duty."² Whilst Ulster was thus harried by the United Irishmen, the Defenders were committing the most horrible outrages in the counties of Roscommon, Leitrim, Longford, Meath, Westmeath and Kildare.

The accounts, given in the reports of the Secret Committees, of the condition of Ulster in 1796 and 1797, were amply corroborated by statements in Parliament. In March of the latter year, the Opposition, or as they were then called the "Seven Wise Men," started a debate on "the policy of disarming Ulster" and "General Lake's proclamation". During the debate one member declared "there was

¹ Madden, *United Irishmen*, i., p. 115. Napper Tandy, when Secretary of the Dublin United Society, became a member of the "Defenders' Association," and took their oath. This took place in 1792. Tandy's object was to induce the Defenders to combine with the United Irishmen. He fled the country in the following year.

² Report of the Commons, 1798. There were five Reports in all. One, of the House of Lords, in 1793; two from both Houses in 1797; and two from both Houses in 1798. They were made Secret in order to conceal the names of the witnesses and of persons accused, and to prevent anything transpiring which might prejudice future juries. •

scarcely a day which did not furnish news of daring outrages of Northern traitors—outrages that endangered the very existence of the Constitution”.¹ Another, “that the loyal people of the North were exposed to assassination if they uttered their sentiments”.² Another, “that the law in the province of Ulster could not be executed”.³ Another, “that such was the audacity of the United Irishmen in the neighbourhood of Derry that Lord Cavan who commanded there was obliged to order the garrison men to deposit their arms every night in the Court House, to prevent them from being taken by force. Above 400 families had been robbed of their arms in that neighbourhood in one night.”⁴ The Attorney-General said “In the counties of Donegal and Antrim, where the magistrates had done their duties, they have been assassinated or forced to fly; the peaceable and loyal inhabitants through Ulster were deprived of their arms, or so terrified that they were obliged to give them up. In all these parts there were many loyal and well-affected people, but, if they uttered their sentiments, they were assassinated; and lest they should use their arms in defence of the country, they were deprived of them.”⁵

The secret committee of the House of Lords in 1797, which reported after an investigation by evidence, contained a very startling assertion, namely, that it had been decided by the United Irishmen, in the event of their success, to massacre all those who might be deemed inimical to their conspiracy, and that the first list of the proscribed had been calculated “by one of their leaders” at thirty thousand persons. This statement becomes the more remarkable when we read the sworn evidence of two of the foremost United Irishmen. On the 7th of August,

¹ *Irish Debates*, xvii., p. 140.

² *Ib.*, p. 141.

³ *Ib.*, p. 146.

⁴ *Ib.*, pp. 141, 164.

⁵ *Ib.*, p. 148.

1798, Dr. MacNeven was asked: "Were the reports of the secret committees of the two Houses of Parliament last year accurate?" His answer was "I believe they were accurate, save that they under-stated the number of men and arms". On the fourteenth of the same month, to a similar question Oliver Bond replied, "I think they were."¹

The date of the rebellion is generally given as 1798, but if preparations for it, and numerous local insurrections be taken into account, it must be placed much earlier. In the prosperous North, where the Roman Catholics seemed disposed to remain quiet, the progress of the United Irishmen was very rapid. Within twelve months from the establishment of the original Society, they had turned the counties of Antrim and Down, and the towns of Belfast and Newry, into the head quarters of a dangerous and widely spread conspiracy. The disorders and disturbances, which prevailed in several parts of the kingdom as early as the end of 1792 and beginning of 1793, attracted the attention of the House of Lords, and a secret committee was appointed to inquire into their causes, to discover their promoters, and to prevent their extension. The committee examined witnesses on oath, and on the 7th of March, 1793, made their report. The first part of the report referred to the Defenders, who throughout the counties of Louth, Cavan, Meath and Monaghan, were plundering the houses of the Protestants of arms and "of every thing they could find". The latter part described the state of the North: "An unusual ferment has for some months past disturbed several parts of the North, particularly the town of Belfast and the county of Antrim; it is kept up and encouraged by seditious papers and pamphlets of the

¹ Report of the secret committee of the Lords, 1798, Append., pp. 3 and 7. This report was published separately and is to be found in the Haliday Collection of Pamphlets.

most dangerous tendency, printed at very cheap and inconsiderate rates in Dublin and Belfast, which issue almost daily from certain societies of men or clubs in both those places, calling themselves committees under various descriptions, and carrying on a constant correspondence with each other. These publications are circulated amongst the people with the utmost industry, and appear to be calculated to defame the Government and Parliament, and to render the people dissatisfied with their condition and with the laws. The conduct of the French is shamefully extolled, and recommended to the public view as an example for imitation; hopes and expectations have been held up of their assistance by a descent upon this kingdom, and prayers have been offered up at Belfast from the pulpit for the success of their arms in the presence of military associations which have been newly levied and arranged in that town.”¹ “Several bodies of men have been collected in different parts of the North, armed and disciplined under officers chosen by themselves, and composed mostly of the lowest classes of the people. These bodies are daily increasing in numbers and force; they have exerted their best endeavours to procure military men of experience to act as their officers, some of them having expressly stated that there were men enough to be had, but that officers were what they wanted. Stands of arms and gunpowder to a very large amount, much above the common consumption, have been sent within these few months to Belfast and Newry, and orders

¹ Four dissenting ministers of the town of Belfast denied this charge in a letter to the Lord Chancellor. The fifth, Sinclair Kelburn, published the following declaration: “Since the French declaration of war against Great Britain and Ireland was known here, I did not pray for the ‘success of their arms’. I do not recollect that I ever used the words. I am certain that I never prayed for success to the French arms before any military association” (*Belfast Politics*, p. 408). This gentleman was an original member of the Society of United Irishmen.

given for a much greater quantity, which it appears could be wanted only for military operations. At Belfast, bodies of men in arms are drilled and exercised for several hours almost every night by candle light, and attempts have been made to seduce the soldiery, which, much to the honour of the King's forces, have proved ineffectual. The declared object of these military bodies is to procure a reform of Parliament, but the obvious intention of most of them appears to be to overawe the Parliament and the Government, and to dictate to both ”.

In Dublin the proceedings of the United Irishmen were exceedingly bold, violent and seditious. No sooner had they formed themselves into a Society,¹ than they denied the authority of the House of Commons to secure freedom of debate within its walls. In February, 1792, Napper Tandy committed a gross breach of the privilege of Parliament by sending a challenge to the Solicitor-General for words spoken in the House. He was ordered into custody by the Commons, and a messenger was sent to his residence to arrest him, but Tandy made his escape through a window. At the request of the Commons the Lord-Lieutenant issued a proclamation offering a reward for the apprehension of Tandy.² The Society immediately published resolutions to the following effect: that the power assumed by the House of Commons was not warranted by law; that the proclamation was not warranted by law; that the liberty of the

¹ The officers of this Society were very unfortunate. Of its eight chairmen, three were hanged, namely, Henry Sheares, John Sheares and Begenal Harvey; two were exiled, Hamilton Rowan and Dr. James Reynolds; Simon Butler died in extreme poverty in Wales. Of its nine secretaries, Thomas Russell was hanged; Tone and Oliver Bond were convicted of high treason; Napper Tandy fled the country; four were exiled, Edward Joseph Lewines, Livingston Webb, Matthew Dowling and John Bourke.

² See the proceedings against Tandy, *Irish Debates*, xii., pp. 231, 306, 307.

subject was violated in the person of Tandy; and that his cause was that of the public and must receive a judicial decision. A committee of secrecy was then appointed by the Society to carry the last-mentioned resolution into effect, and was empowered to draw on the treasurer for the necessary sums.¹ On the 14th December, 1792, they issued an incendiary address to the volunteers, calling on them to resume their arms, and to assemble in a convention of the Protestant people, and then to enter into communications with the Roman Catholic convention, so as to form a united nation.² For distributing this address, an information was filed against Hamilton Rowan, and he was sentenced to pay a fine of £500 and be imprisoned for two years. The Society again interfered, and, at a meeting, resolved that the paper, alleged to have been distributed by Hamilton Rowan, was "falsely called in the said information a seditious libel, and that it was the duty of every member to distribute the public resolutions of the Society, etc."³ Later, while Rowan was in prison, the Society presented him with an address equally bombastic and seditious.⁴ In January, 1793, they published an address to the Irish Nation, in which they explained fully their views, and recommended the constitution which was afterwards adopted by the Society.⁵ "Trust as little to your friends as to your enemies," they said, "in a matter where you can act only by yourselves. The will of the Nation must be declared before any Reform ought to take place. It is not, therefore, any class however numerous, any society however respectable, any subaltern assembly, that have either right or competency to express that authoritative will. Nothing less than the people can speak for

¹ *Proceedings of the United Irishmen of Dublin*, p. 17.

² *Ib.*, p. 43.

³ *Ib.*, p. 48.

⁴ *Ib.*, p. 131.

⁵ *Ib.*, p. 51.

the people. This competency resides not in a few freeholders shivering in a corner of a country hall, but only in the whole community represented *in* each county [as at present in Antrim] by parochial delegation, and then *from* each county by baronial delegation to provincial conventions, the union of which must form the awful will of the people of Ireland. Let us, therefore, conclude by conjuring the county meetings now assembling to follow the example of Ulster, and by appointing delegates to a convention of their respective provinces, to unite their scattered and insulated wills into one momentous mass, which may have authority sufficient to make a declaration of rights on behalf of the Nation."¹ On the 10th of February, 1793, at a meeting specially convened, they denounced the war with France, as a war against principles and the liberty of Europe;² declared that raising the militia was intended to invest an ever-grasping administration with an enormous and alarming patronage, and to destroy the volunteers; and condemned the Gunpowder Bill, then pending in Parliament, as palpably tending to enact against the whole body of the people the rigour of the Penal Code.³ On the 24th of the same month, they published a series of resolutions directed against the secret committee of the House of Lords, denying the right of the Lords to delegate their authority to a committee, and of the committee to examine on oath.⁴ For this libel on Parliament, Simon Butler and Oliver Bond, the chairman and secretary of the meeting, were sentenced by the House of Lords to be imprisoned for six months, and to pay each a fine of £500. A full

¹ This is only an extract from the Address, which is a good example of Dr. Drennan's extremely long-winded and gloomy compositions. Drennan was prosecuted for the publication of it, but was not convicted.

² War was declared by the French against England on the 1st of February, 1793.

³ *Ib.*, p. 62.

⁴ *Ib.*, p. 67.

meeting of the Society was immediately called, and it was resolved to send a deputation to wait on the prisoners and congratulate them on their conduct.¹ Not content with this, they issued on the 3rd March an "Address to the People of Ireland," repeating their condemnation of the action of the Lords, and declaring that the sentence on Rowan and Bond had been pronounced by a body who were at once judges and parties.² In November, 1793, they published their plan of reform and an Address to the People of Ireland thereon, in which they expressed their belief that both the Administration and the Opposition were "equally averse from the measure of adequate reform".³ On the 24th of March, 1794, they issued their last address to the people of Ireland. In this they justified their plan of universal suffrage; asserted that nothing short of "pure democracy" could maintain the integrity and independence of the House of Commons against monarchy and aristocracy; and made an attack on Grattan and the Opposition.⁴ In May of this year, the sheriffs, with some officers, repaired to the Society's place of meeting, dispersed the members, and seized their papers. From this time they consulted in secret.

In this abstract, many of the proceedings of the Society have been omitted for want of space; such as their addresses and answers to democratic societies in England and Scotland; their resolutions respecting Hamilton Rowan, Henry Sheares, Napper Tandy, Dr. Reynolds, etc., and the replies of these individuals; and also the legal proceedings taken by Napper Tandy at the instigation and costs of the Society against the Lord-Lieutenant, Lord Fitzgibbon, the Speaker, the Attorney-General, and the printers of the proclamation for his arrest.⁵

¹ *Proceedings of the United Irishmen of Dublin*, p. 72.

² *Ib.*, p. 74.

³ *Ib.*, pp. 124-130.

⁴ *Ib.*, p. 190.

⁵ There are two editions of the proceedings of this Society. One was published in Dublin in 1794. Another in Philadelphia in 1795.

CHAPTER XX.

THE MOVEMENT OF THE ROMAN CATHOLICS—THEIR UNION
WITH THE PRESBYTERIANS—THE DEFENDERS.

WE cannot wonder that the Roman Catholics were roused to action by the encouragement of the Northern Presbyterians and the United Irishmen; but we may well be astonished at the rapidity of their progress when once they commenced to move. For many years before 1790 that body had a kind of representative assembly sitting in Dublin for the purpose of obtaining a mitigation of the Penal Laws. This was known as the General Committee, and consisted of their bishops, lords and country gentlemen, who sat in their own right, and also of a certain number of merchants and traders resident in Dublin, but delegated by the towns corporate to represent them. So little was thought of this assembly in 1790 that its members could not induce a single member of Parliament to present a modest petition praying for nothing specific, but merely that their case should be taken into consideration.¹ In the beginning of 1791 a deputation from the General Committee waited on the Chief Secretary with a list of the Penal Laws, and entreated the Government to remove any portion which they might think fit, but without effect. Up to 1791, the management of the committee had been in the

¹ Vindication of the Catholics, published by order of the General Committee in 1793. This was drawn up by Wolfe Tone, and is to be found in his *Life*, i., p. 411.

hands of their bishops, lords and country gentlemen, but in this year a strong democratic spirit appeared in the committee, chiefly amongst the merchants and traders. Two parties in it soon became defined—an aristocratic party, which was opposed to a union with the Presbyterians, and an opposition led by John Keogh, a wealthy Dublin merchant. A trial of strength between the two soon occurred. The country gentlemen, headed by Lord Kenmare, proposed in the committee that no further application for relief should be made, but that the relaxation of the Penal Laws should be left to the wisdom and liberality of the legislature. This proposal was strongly resisted by the democratic party, and was negatived by a very large majority. Thereupon Lord Kenmare, Lord Fingal and sixty-six of the landed gentlemen seceded from the committee, and published their resolution not to embarrass the Government by advancing their claims. A few months later, *viz.*, the 27th of December, 1791, they presented an address to the Lord-Lieutenant declaring their loyalty to the King and their attachment to the Constitution, disclaiming every word and act tending to disturb the tranquillity of the country, and leaving their further relief to the wisdom and discretion of the legislature. This address was censured at several public meetings of the Roman Catholics; and, on the 14th January, 1792, their General Committee published a series of resolutions attacking it with extraordinary virulence.¹ After the secession of the noblemen and gentlemen from the General Committee, that Assembly became a body wholly democratic, and was governed by five men, who were then, or afterwards became, United Irishmen, *viz.*, John Keogh, Edward

¹ The Address and the Resolutions of the General Committee are given in Seward's *Collectanea Hibernica*, ii., pp. 296-301.

Byrne, Richard M'Cormick, John Sweetman and Dr. MacNeven.¹

Subsequent to the secession of the moderate party, the General Committee resolved to make an application to Parliament. To give weight to their intended petition, they invited Richard Burke, only son of Edmund Burke, over to Ireland, and appointed him their agent for conducting their parliamentary business. Burke arrived in Dublin in January, 1792. During a short stay of four months² he was guilty of every folly that a conceited young man, utterly deficient in judgment, sympathy and temper, could commit in that short time. He ended, as Tone tells us, his short and turbulent career by breaking with the General Committee, who, however, presented him with a sum of two thousand guineas. Shortly after Burke's departure, Tone was appointed agent and secretary to the sub-committee, which managed the affairs of the General Committee during the intervals between the meetings of the larger body. This appointment marked the permanent union of the Roman Catholic Committee with the northern agitators and the United Irishmen.

In 1791, an Act was passed in the Imperial Parliament for the relief of the English Roman Catholics, and an English Act of this nature was sure to be followed by a similar Act in Ireland. Accordingly, on the 25th January, 1792, Sir Hercules Langrishe, on behalf of the Government, moved for leave to bring in a bill for removing some of

¹ It has often been asserted that Keogh was not a United Irishman. Mr. Madden says: "There can be no longer any necessity for withholding the fact that Mr. Keogh, one of the 'chief Catholic leaders,' was a member of the Society of United Irishmen, as well as his friend, Richard McCormick, the secretary of the Catholic Committee" (*United Irishmen*, iii., p. 49).

² Writing to William Burke in August, 1792, Richard said that he left Ireland at the end of April, and that he was about to return there (*Correspondence of Edmund Burke*, iii., p. 487).

the disabilities under which the Irish Roman Catholics laboured, and his motion was seconded by the Chief Secretary. Langrishe proposed to open the Bar to Roman Catholics under the rank of King's counsel; to allow them to become attorneys and solicitors; to permit intermarriages between them and Protestants; to restore to them education unrestrained; and to remove the limitation on the number of their apprentices. While the House was considering this motion, Mr. O'Hara rose and said that a friend of his, not a Roman Catholic, had asked him to present a petition embodying the true wishes of that community. Thereupon a member remarked that it was an odd way of presenting a petition to state that it came not from any particular body of men, but from an intimate acquaintance. This was too much for Richard Burke, who had drawn the petition and was then in the gallery of the House. He rushed into the body of the House and was about to speak. A general cry of "into custody" was raised, and Burke fled.¹ Mr. O'Hara then withdrew the petition, and leave was given to Sir Hercules Langrishe to introduce his bill.

The bill passed very rapidly, and without material changes, through the Commons. On the 24th February, it was read a third time, and carried to the Lords by its proposer and a great number of members.² During the progress of the bill through the House, two petitions had been presented in favour of further concessions to the Roman Catholics—one from the General Committee, praying that the Roman Catholics should be restored "to some share in the elective franchise"; the other from the United Irishmen of Belfast, asking the House to repeal all penal and restrictive laws against that body. Both petitions had been received and placed on the table. Three days later

¹ *Irish Debates*, xii., p. 39-41.

² *Ib.*, p. 247.

David Latouche moved that the petition presented by the General Committee should be rejected, and the motion was carried by 208 to 23. This appears to have been done partly to rebuke some inflammatory manifestoes which had been published in the newspapers of the day, and partly to declare the fixed resolution of the House not to grant political power to the Roman Catholics. Latouche then moved, "That the petition from the Society of the United Irishmen of Belfast should also be rejected". The question was put, and the petition rejected with two or three negatives.¹

Up to the time when Tone became agent and secretary to the sub-committee, the claims of the Roman Catholics had been advanced in sober and temperate language. Thus in October, 1791, the Dublin Roman Catholics issued a declaration stating, "it is not for the Irish Catholics, armed as their cause is with reason and with justice, like public foes to seek advantage from public calamity. They ought to advance their claim at a time more favourable to discussion, when the condition of the empire is flourishing and tranquil. They might seem culpable to their country if . . . they reserved their pretensions in ambuscade to augment the perplexities of some critical emergency."² In February, 1792, the General Committee published a specification of their claims, in which the utmost extent of their wishes was declared to be admission to the practice of the law, capacity to serve as county magistrates, the right of being summoned on grand and petty juries, and lastly, the right of voting for Protestant members, but in such manner only, as that a Roman Catholic should not vote unless, in addition to his forty shilling freehold, he rented or cultivated

¹ *Irish Debates*, xii., pp. 182-231. George Ponsonby voted for the rejection of both petitions.

² *Ib.*, xv., p. 264. The declaration is given in Plowden's *Append.*, p. 165.

a farm of twenty pounds a year, or was possessed of a freehold of the same value.¹ In March of the same year, the General Committee published a declaration on behalf of the Roman Catholics, renouncing the anti-social principles held by some of their body, and expressing their desire that no Roman Catholic should be allowed to exercise the elective franchise unless he had taken an oath to defend the arrangement of property established by the different Acts of Attainder and Settlement.² But as soon as Tone, that able and bitter enemy to the British name and connection, was taken into their councils, the Roman Catholics dropped their tone of entreaty and became dissatisfied with a gradual and progressive emancipation. Instead of waiting for the effects of time, temper, and the growth of liberality, they resolved to call a Roman Catholic Convention, elected by universal suffrage, in order to show their strength, and overawe the Government into a concession of their claims.

Sometime before the summer assizes of 1792, the sub-committee despatched a letter to every parish priest in the country, enclosing a plan for the election of delegates to a Roman Catholic Convention to be held in Dublin.

The plan was intended to make it evident that the delegates were elected by *all* the Roman Catholics in the kingdom, and great importance was attached to this effect.³ The letter and plan were signed by Edward Byrne, a United Irishman, and countersigned by another United Irishman, Richard McCormick, secretary to the General Committee, and were composed by Wolfe Tone. Of these, the letter was extremely seditious and inflammatory. It told the Roman Catholic peasantry that they were slaves, and

¹ *Irish Debates*, xv., pp. 264, 268. Lord Clare's speech, 10th February, 1800.

² Plowden, *Append.*, p. 179; *Tone's Life*, i., p. 436.

³ Opening sentence of the plan. Both documents are given among *Tone's political writings* (*Life*, i., p. 439).

poisoned their minds by falsely asserting that they were turned out of their farms to beggary in order to make room for Protestant voters.¹ The plan proposed that the elections should be held by means of primary and secondary assemblies, that is, electors were to be chosen by all the Roman Catholics in each parish, and these electors were then to choose in each county its delegates to the Convention. It was also provided that each county should at the same time elect as associate delegates one or two resident inhabitants of Dublin, as the attendance of county delegates would only be required on important occasions. This last provision was intended to throw the entire management of the affairs of the Roman Catholics into the hands of those resident in Dublin, who were, as Tone tells us, "to the Catholics of Ireland, what Paris at the commencement of the French Revolution was to the departments. Their sentiment was that of the nation, and whatever political measure they adopted was sure to be obeyed."²

¹ Among the innumerable mistatements of Mr. Lecky the expulsion of Roman Catholics from their farms for political purposes is one (vi., p. 505). The Speaker of the Commons answered this charge. "He now spoke in the hearing of the greatest part of the landed property in the kingdom, and he appealed to their knowledge whether such assertion was founded on fact in any part of Ireland. It was not" (*Irish Debates*, xiii., p. 333). Dr. Duigenan, a very able man, stated in the same debate: "This is one of the most impudent falsehoods that ever was advanced in any age or country . . . it being now almost the universal mode of letting lands in Ireland for the landlord to advertise his land at the expiration of a lease to be let to the best and highest bidder". He also urged that the charge was impossible, the Roman Catholics who applied themselves to farming being to the Protestants engaged in the same pursuit, as six to one (*Ib.*, p. 114). This falsehood caused great disturbances in Connaught. There the poor people, "thus deceived, in order to prevent this, attacked the Protestants, robbed them of their arms, plundered and murdered them. In the South some disturbance took place on the same account. Some of the rioters acknowledged that persons had come from Dublin swearing them to rise and punish the Protestants for intending to turn them out of their farms" (*Ib.*, xv., p. 221).

² *Life*, i., p. 61.

The plan then stated the specific business which was to occupy the Convention, *viz.* : " An humble application to our gracious Sovereign, submitting to him our loyalty and attachment, our obedience to the laws, a true statement of our situation, and of the laws which operate against us: and humbly beseeching, that we may be restored the ELECTIVE FRANCHISE, and an equal participation in the benefits of the TRIAL BY JURY. We have the FIRST AUTHORITY for asserting that this application will have infinite weight with our gracious Sovereign and with Parliament, if our friends are qualified to declare that it is the universal wish of EVERY Catholic in the nation."¹ When the Convention met, this limitation to two objects was, at the request of the Belfast United Irishmen, thrown to the winds.

The publication of the letter and plan aroused a great and natural alarm among the Episcopalians and the local supporters of Government. At the ensuing assizes, a great number of the grand juries throughout Ireland published resolutions against the meeting of a convention, declaring it to be illegal and dangerous to the peace of the country. To meet the charge of illegality, Tone drew up a case for the sub-committee to be laid before two King's counsel, one of whom, Simon Butler, was a United Irishman. The questions were, whether the sub-committee had infringed the law, and whether persons carrying the plan of a convention into execution would subject themselves to any penalty. To elect an assembly purporting to act as a permanent representative body, a function and privilege which belonged to and could only be exercised by the constitutional Parliament, was clearly illegal. But after the two conventions of the volunteers in Dungannon and Dublin, and the National Congress of Napper Tandy, it was too late to allege that a

¹ The capitals are in the original.

convention, called to present a petition to the king, was illegal, and the answers of counsel were favourable.

The Roman Catholic Committee was greatly encouraged by some proceedings which took place in Belfast during this year before the actual assembling of their Convention. In January, 1792, a very large meeting of the inhabitants was convened to consider the propriety of petitioning Parliament in favour of the Roman Catholics. The meeting had been called on the requisition of the United Irishmen, and was presided over by the Rev. Sinclair Kelburn, a United Irishman and a confessed Republican. A question arose at the meeting, whether their petition should pray for the total and immediate emancipation of the Roman Catholics, or whether it should contain the words "from time to time and as speedily as the circumstances of the country and the general welfare of the whole kingdom will permit". A debate ensued, and it was carried by a large majority that the relief should be immediate and entire.¹

On the 14th of July, the French Revolution was again celebrated in Belfast. A grand procession was organised in which two brigades of volunteers, consisting of seven hundred and ninety men, took part. The procession marched through the principal streets, "accompanied by such an immense multitude as never before appeared in this place,"² and entered the great square within the Linen Hall. There a great circle was formed, and William Sin-

¹ *Belfast Politics*, pp. 284-310; *Belfast Historical Collections*, pp. 363, 364. After the petition had been settled, it was resolved unanimously that the Roman Catholic clergy and laity should come forward "with a declaration of their religious sentiments as far as they are connected with civil and political liberty". The hint was taken, and on the 17th March, the General Committee issued a declaration of the Catholics of Ireland, but the clergy were silent.

² *Belfast Politics*, p. 332.

clair, a United Irishman, moved an address to the National Assembly of France, which was carried "without a single dissentient voice". The address was written by Dr. Drennan. William Sinclair then moved an address to the people of Ireland, written by Tone, and containing a declaration that no reform which did not include all sects and denominations of Irishmen would be just or satisfactory. It was proposed that this declaration should be expunged, and a paragraph recommending a gradual emancipation of the Roman Catholics inserted in its place. A debate ensued which lasted till seven o'clock in the evening, when the motion for expunging was lost by an immense majority, the dissentients being very few, not more than five. A great number of the leading members of the Catholic Committee¹ had gone down to Belfast to witness for themselves how this address, which recommended their immediate emancipation, would be received, and to judge thereby how far they could rely on the assistance of the North. They returned to Dublin satisfied that they would be supported by the volunteers and United Irishmen of Ulster, and that the union between themselves and the Presbyterians was firmly established.²

Encouraged by the revolutionary restlessness which was showing itself both in Belfast and Dublin, in September, the first Belfast Volunteer company met and resolved that they would never accept pay from Government or submit to take any military oath or obligation to it. Similar resolutions were entered into on the same day by the Belfast Volunteer company.³ Early in October, the four societies of United Irishmen in that town published

¹ Tone, *Life*, i., p. 68.

² For the celebration of this day, the Debate, and the Addresses to the French Assembly and the People of Ireland, see *Belfast Politics*, pp. 328-348; *Belfast Historical Collections*, pp. 371-380.

³ *Belfast Historical Collections*, pp. 381-382.

declarations of their sentiments on Irish politics, in which they condemned the opposition of the grand juries to the claims of the Roman Catholics, and strenuously exhorted the latter to persist in their demands till their exertions were crowned with success.¹ And in November a large meeting, consisting of volunteers and citizens, was held to celebrate the retreat of the Allied armies from France. A United Irishman presided, and proposed an address declaring the joy of the inhabitants of the town at the event, and "attributing the success of the French arms to the signal interposition of the Deity, as an example of the success with which He will crown the effort of mankind in every attempt to establish civil and religious liberty". In the evening the town was illuminated, and in some houses transparencies were exhibited with mottoes and representations; such as "France is free; so may we; let us will it". A gallows suspending an inverted crown with the words "May the fate of every tyrant be that of Capet;" "Irishmen, look at France;" "Liberty and Equality".² We must remember, while reading of these transactions, that to look for example and guidance to France in the latter end of 1792 was a very different thing from sympathising with her efforts in 1790 and 1791. In August, 1792, the Swiss Guards had been massacred for doing their duty, and the King and his family had been imprisoned. In September, the horrible butchery, which lasted from the second to the sixth day of the month, had been consummated; and on the 22nd, France had been declared a Republic.

The same spirit was showing itself in Dublin. A new military association, calling itself the First National Battalion, and avowing its Republicanism by its device of a harp without a crown, but surmounted by a cap of liberty,

¹ *Belfast Historical Collections*, pp. 383; *Belfast Politics*, pp. 352-360.

² *Ib.*, pp. 361-363.

was formed in that city. This body was composed almost entirely of Roman Catholics, and wore green jackets, green helmets and green cockades.¹ Even the old corps were manifesting signs of sedition. At a meeting of delegates from several of the Dublin companies of volunteers, thanks were voted to the United Irishmen for their incendiary address of the 14th of December calling on the volunteers of Ireland to resume their arms. The Goldsmiths' Corps issued a summons to the other companies to meet and celebrate the retreat of the Duke of Brunswick and the victories of the French in the Low Countries. The summons was addressed, "Citizen soldiers," and was dated, "the last year of slavery". In consequence of these proceedings, the Viceroy on the 8th of December, 1792, issued a proclamation for dispersing all unlawful assemblies and preventing unauthorised bodies appearing in arms. Notwithstanding the proclamation, the Goldsmiths' Corps attempted to exercise as formerly, but were met by a magistrate who informed them that their meeting was illegal. Thereupon they dispersed quietly, and with them the volunteers of the city and county of Dublin ceased to appear in arms.² The proclamation was taken into consideration by the House of Commons, and, after a very mischievous speech from Grattan, an address of thanks for it was voted to the Lord-Lieutenant. The only dissentient was Lord Edward Fitzgerald, who declared that he thought the Lord-Lieutenant and the majority of the House the worst subjects the King had.³

The Roman Catholic Convention met on the 3rd of December, 1792. It consisted of upwards of 230 members, representing the counties, cities and towns in the country.⁴ It had been called to present a petition to the King praying

¹ *Irish Debates*, xv., p. 244.

² *Ib.*, xiii., pp. 76-82.

³ *Ib.*, xiii., p. 82.

⁴ *Tone's Life*, i., p. 456.

for the elective franchise and an equal participation in the benefits of trial by jury. But this limitation did not please the United Irishmen of Belfast. Luke Teeling, one of the county Antrim delegates, convened a meeting of United Irishmen in that town, and consulted them, whether, as the delegates had been instructed on two points only, the Convention should confine themselves to these. The United Irishmen were unanimously of opinion that the petition of the Convention should ask for the removal of every grievance.¹ Accordingly Teeling moved in the Convention to "generalise the prayer of the petition," and the motion passed unanimously.² When the petition had been agreed to, the mode of transmitting it to England was then considered. For the express purpose of throwing a slur on the Irish administration, it was resolved to pass by the Viceroy, and to send their petition by deputies of their own.³ Five members of the Convention, namely, Edward Byrne, John Keogh, Christopher Bellew, James Devereux and Sir Thomas French were elected to go to England. Of the five who were chosen to present a petition, declaring the loyalty of the Roman Catholics, two were United Irishmen; and one of the deputies, whose name is unknown, on the arrival of the deputation in London, entered into treasonable negotiations with the French ambassador.⁴ Before the adjournment of the Convention, unanimous thanks were voted to the citizens of Belfast, *i.e.*, the United Irishmen of that town, "to whom," said the proposer, Luke Teeling, "we owe that we meet here in safety; they stand sentinels at our doors; they support you, Mr. President, in that chair". A sentiment which was received with acclamation by the whole meeting.⁵ Finally, having

¹ *Tone's Life*, i., p. 220; *Pieces of Irish History*, p. 33.

² *Tone's notes on the debates in the Convention*, *Life*, i., p. 227.

³ *Ib.*, pp. 84, 231.

⁴ *Ib.*, i., p. 108.

⁵ *Ib.*, p. 85.

thanked Tone for his faithful services, the Convention resolved to adjourn *sine die*, with the understanding that it would reassemble when summoned by the sub-committee.

The petition thus agreed upon contained several untrue statements, the most remarkable of which was that the Roman Catholics of Ireland had been for a century uninterruptedly loyal. At the time this statement was made, the Defenders, who were all Roman Catholics, were devastating the counties of Louth, Meath, Cavan, Galway, Monaghan, Donegal and parts of county Dublin, robbing and burning the houses and farmyards of the Protestants, and frequently attacking the King's troops.¹ During the century, thus confidently spoken of, the Roman Catholics had been comparatively quiet, but an argument drawn from enforced incapacity to do mischief furnishes but a poor plea for perfect freedom from restrictions. To assert that they were loyal during the existence of the Penal Laws is obviously absurd, for it is as much as to say, that men love those who treat them harshly. The truth is, the Roman Catholics of Ireland, as a body, never have been loyal to the Protestant King of Great Britain, and never will be until the religious fervour which prevails among them has cooled down to what it is in France and Germany. As long as the Penal Laws constrained them, they proclaimed their loyal and peaceable demeanour as a reason why they should be freed from their disabilities. Since the abolition of these laws, they have been courted and petted as no other community in the empire has ever been, with the result, that at the present day they openly display their disloyalty and glory in it. Tone, who drew the petition, knew that the assertion was false, and in his private journal told the

¹ Report of the Lords' secret committee, 1793 ; *Irish Debates*, xiii., p. 98. Statement of Facts, addressed to the magistrates, the military and yeomanry of Ireland. Dublin, 1798.

truth, "that, however, it might be disguised or suppressed, there existed in the breast of every Irish Catholic an inextirpable abhorrence of the English name and power".¹ In another part of the same journal, he declared that he could say from his own personal knowledge that the great majority of men who composed the General Committee of the Roman Catholics were "sincere Republicans, warmly attached to the cause of France, and, as Irishmen and as Catholics, doubly bound to detest the tyranny and domination of England, which has so often deluged their country with their best blood".² Tone enjoyed the perfect confidence of the Roman Catholics, and knew, as no other man did, their secret sentiments, and his evidence does not stand alone. Dr. MacNeven, a Roman Catholic, and one of the Irish Directory, declared on oath in 1798 that "the lower order of Catholics consider Protestant and Englishman, that is, English settler, as synonymous and as their natural enemy".³

The delegates appointed to convey the petition, for the purpose of giving *éclat* to their mission, resolved to visit Belfast on their way to London. They arrived there accompanied by Tone, as their secretary, on the 12th December. They were received in that town with marked attention. On their departure, after a short stay of two hours, the horses were taken from their carriages, and they were drawn through the streets by the populace. At the outskirts of the town, they were allowed to proceed amid cries of "Success attend you," "Union," "Equal laws," and "Down with the ascendancy". As a sign of the times it may be mentioned that on the same day that this demonstration was made, the "Irish Jacobins of Belfast" published a most seditious "Address to the People," for the publication

¹ *Life*, i., p. 52.

² *Ib.*, ii., p. 189.

³ Report of the Lords' secret committee, 1798, Append., p. 3.

of which the printer of the *Northern Star* was afterwards prosecuted and convicted.¹

On their arrival in London, the delegates were presented at Court by the Home Secretary, Dundas. They delivered their petition to the King, and it was graciously accepted. A short time afterwards they had an interview with the Secretary, when they informed him that the peace of Ireland depended on the concessions the Government would make—an extraordinary intimation from deputies who founded the claims of their constituents on their uninterrupted loyalty. Dundas told them in reply that the King was sensible of their loyalty and attachment, and that their case would be recommended in the speech from the throne at the ensuing meeting of Parliament.

The decision which Pitt came to at this juncture, namely, to grant the elective franchise to the Roman Catholics, has been ascribed to his desire for a Legislative Union. But it is not necessary to look so far forward. The actions of practical statesmen are rarely determined by hopes of the future. War was in sight, and it was a matter of the greatest importance to keep Ireland quiet, as being the portion of the empire most open to attack. There had been, and was, great restlessness both in England and Scotland. Serious riots had taken place, and seditious publications were pouring from the press. He had lost all confidence in the Irish Parliament. No reliance could be placed on men who had taken advantage of the difficulties of Great Britain to extort their independence, who had rejected their own best security, a Commercial Union, and had established a precedent for separation at the time of the Regency. The frightful state of Ireland could not escape his notice. There, an insurrection of the

¹ *Belfast Historical Collections*, pp. 388-391, 427.

lower order of Roman Catholics, marked by the most bitter animosity against the Protestants, was spreading like wild-fire from county to county. In the North, the United System was extending with terrible rapidity; "you can form no conception," wrote Neilson from Belfast to Tone in November, 1792, "of the rapid progress of Union here, and I do assure you, we are further forward than even I expected we should have been in a twelvemonth. The universal question throughout the country is: when do we begin? Do we refuse hearth money or tithes first?"¹ Large quantities of arms and gunpowder were being clandestinely imported,² and constant attempts were made to seduce the soldiery. All things betokened revolution or rebellion. Pitt thought that he could conciliate the Roman Catholics by large concessions, and thus detach them from their alliance with the Presbyterians. He resolved to grant the former all that could be given with safety to the peace of the country and the Protestant establishment.³ To prevent opposition to his plan, he let it be known in Ireland that the Episcopalians must not expect the aid of Great Britain if a contest for ascendancy should arise between them and the Roman Catholics. This intimation reduced that body to despair; for they believed that Great Britain

¹ Tone's *Life*, i., p. 221.

² *Irish Debates*, xiii., p. 149. Report of the Lords' secret committee, 1798.

³ In the debate on the petition of the Irish Roman Catholics in 1805, praying for complete emancipation, Pitt said: "Previous to the union of Great Britain and Ireland, I could conceive no case in which the advantages now solicited could be given to the Catholics, in consistency with the security of the connection between the two countries, in consistency with the interests of the Protestants, the firm and tried friends of British connection, in consistency with the internal tranquillity of Ireland, or in consistency with the safety of the established religion of that country" (Detailed Report, London, 1805). These words refute the insinuations of Mr. Lecky that, but for the opposition of the Irish Administration, Pitt would have granted total emancipation in 1792 and 1793.

had abandoned them. At last they had become aware of the strength of their enemies, their own weakness, and their complete dependence on Great Britain. From this time, we hear no more of the pride of independence; the Opposition fell away to such numbers as seven and fourteen; every claim that could inconvenience the Government was set aside; every bill that strengthened the executive and their own position, was passed at once; and every reform which threatened the close boroughs, their last line of defence, was defeated by immense majorities.

At the opening of Parliament in January, 1793, the Viceroy informed the Houses that he had it on particular command from the King to recommend to their serious attention the situation of the Roman Catholics. On the 18th of the same month, Hobart, the Chief Secretary, introduced a bill for the further relief of that body. It proposed to give them the elective franchise; the right of being grand and petty jurors, of endowing colleges and schools, and of carrying arms, if possessed of a certain property qualification. It also opened to them the army and navy, and all civil offices except about thirty of the highest. Though the Commons had in the previous session rejected the claim of the Roman Catholics to the elective franchise by a majority of 208 to 23, Hobart's bill now passed—many of the Episcopalians, as a member declared, viewing the proceedings in the silent agony of despair, and deploring the introduction of such a measure “at the omnipotent fiat of a British Minister”.¹

During this debate, two members exhibited one of those sudden changes of opinion which betoken a want of fixed principles. On the 25th February, George Knox proposed

¹ *Irish Debates*, xiii., p. 329. As to the belief of the Commons that they were obeying the mandate of the British Minister, see further, *Ib.*, pp. 132, 134, 138, 216, 343, 344, 346.

the insertion of a clause admitting Roman Catholics to sit in the House. In the preceding session, this gentleman had declared in Parliament that as long as Great Britain remained attached to a Protestant establishment, it was necessary that Protestants should be the ruling power in Ireland, and that a Catholic Parliament would not be long without a Catholic King.¹ The fact was, that in the interval Knox had been engaged in an intrigue with Keogh and Tone for the appointment of a Lord Lieutenant favourable to the Roman Catholics, and had been converted to their views by the hope of his own advancement.² In 1792, George Ponsonby had voted that the petition of the Roman Catholics, praying only for some share in the elective franchise, should be rejected.³ He now advised the House to "kick out" Hobart's "silly bill," and to bring in another of their own, granting everything to the Roman Catholics.⁴ Three days before this proposal was made, a member had declared in the House that George Ponsonby was insincerity personified, than which a truer statement was never made.⁵

The Act, though intended to be a healing measure, was one of the most absurd ever passed. It said to the Roman Catholics: you may vote, but you must not vote for those you have confidence in; you must vote for those who are opposed to your claims and of whose principles you disapprove. It gave to the lower orders of that body all the advantages of the Constitution, while by denying the legislative franchise to their noblemen and gentry, it tended to break down the authority of their natural leaders, and to detach from property all political power, contrary to the

¹ *Irish Debates*, xii., p. 146.

² *Tone's Life*, i., pp. 185, 186, 197-99; plan knocked on the head, p. 205.

³ *Irish Debates*, xii., p. 221.

⁴ *Ib.*, xiii., p. 275.

⁵ *Ib.*, p. 247.

principle of the Constitution. At one stroke the Irish electorate was tripled, and a poor, ignorant and bigoted peasantry, many of whom could not speak the English language, was given the power of determining every county election. So poor were they that in the present session more than one-half of them were excused from paying any hearth tax. Almost all the land in Ireland was let on leases for lives,¹ and the practical effect of the Act was to create something like universal suffrage. It destroyed the equality and conformity of rights in the empire. After its passing into law the King reigned over the English and Scotch Roman Catholics by one rule, and over those in Ireland by another. In Ireland, a Roman Catholic was admissible to all civil and military places of trust under the Crown, and was invested with all the privileges enjoyed by Protestants, except a seat in Parliament and a few great offices. In England, he was excluded from all civil and military offices under the Crown or in cities and corporations. He could not vote at the election of members of Parliament unless he took the oaths of allegiance and supremacy; in Ireland those oaths were swept away in his favour, and a new one, founded on the declaration of his General Committee,² was established. In England, a Roman Catholic could not even serve in the militia, for, by the Act regulating that force, no one could be enrolled in it unless he swore that he was a Protestant.³ The Irish Roman Catholic was in a far better condition than the Protestant Dissenter in England, who was incapacitated by the Corporation and Test Acts. By the former, a Dissenter could not be elected to any office relating to the government of a city or corporation without taking the sacrament according to the form of

¹ *Irish Debates*, xiii., p. 213.

² *Ib.*, p. 362.

³ Charles Butler. *Historical Account of the Laws respecting Roman Catholics, etc.* London, 1795.

a church to which he did not belong. The latter Act made the same religious ceremony necessary to his holding any civil or military office. The elective franchise, too, was only enjoyed by Dissenters in England in an imperfect manner, for they were debarred from exercising it in thirty towns and corporations which returned representatives to Parliament. On a careful consideration of these facts, it may be asked: why did not Pitt make a similar experiment in England? why did he not propose to the British Parliament to abolish the Test and Corporation Acts and the oath which prevented the English Roman Catholics from exercising the elective franchise? The only answer is the necessity of the times. In England the Roman Catholics were few and peaceable; in Ireland they were the vast majority and thoroughly disaffected.

While the Parliament yielded so far to the influence of Pitt as to extend the franchise to the Roman Catholics, they took care to strengthen the executive and to curb sedition outside their House, though unable to repress it within.¹ The events abroad and at home taught them the necessity of strong measures. In France, the King had been executed on the 21st of January, and on the 1st of February, war was declared against England by the Convention of that Kingdom. In the North, the volunteers,

¹ On the first day of the Session, Grattan made an extremely seditious speech. He declared that the alarming state of the country was owing to the conduct of the King's Ministers; and that they had deprived the Parliament of Ireland "of all weight, authority, or credit". Having stated that the address of the Dublin Corporation against the claims of the Roman Catholics was the act of the Castle, he continued: "If, then, the three millions of Catholics should, with the assistance of twenty-six millions in France, rebel and dispossess you of your properties and charters, they have in the city publication an authority—they have the law of conquest—and they have your excuse for appealing to the law of conquest, because they have the sentence of the corporation—nothing else to relieve them from the doom of slavery" (*Irish Debates*, xiii., pp. 6-15).

now entirely under the influence of the United Irishmen, were rapidly increasing their numbers,¹ and in Belfast strong symptoms of a revolutionary spirit appeared. On the 26th December, 1792, a general meeting of the inhabitants of the town was held in the meeting house of a Presbyterian clergyman. At the meeting, another Presbyterian clergyman, Sinclair Kelburn, gave utterance to the most republican sentiments, and declared that the Lords should be done away with, and that the King and Lords were two to one against the people.² Resolutions were also passed, recommending provincial conventions from parishes and towns, and urging a complete re-establishment of the volunteers. A military chest, to supply with ammunition and other necessaries the volunteers already embodied and embodying in the town, was established, and a committee was appointed to correspond with every part of Ireland for the purpose of calling county meetings and provincial conventions.³ Pursuant to the resolutions passed at this meeting, a convention of the Province of Ulster met in Dungannon on the 15th of February, 1793, while the Parliament was sitting. There, resolutions were voted, recommending the immediate and entire emancipation of the Roman Catholics; denouncing the establishment of a militia, and the war against France; exhorting the volunteers to increase their numbers and improve their discipline; and appointing a committee to communicate with the other provinces, and to concert the means of calling a National Convention, should such an assembly be considered necessary.⁴ It is to be noted that in the election of delegates to this convention, they were

¹ "More volunteer companies springing up like mushrooms, nobody knows why" (Tone's Diary, 15th August, 1792; *Life*, i., p. 173).

² *Irish Debates*, xiii., p. 58; *Belfast Politics*, p. 385.

³ *Belfast Politics*, pp. 376-386; *Belfast Historical Collections*, pp. 396-398.

⁴ *Belfast Historical Collections*, pp. 408-411.

chosen by universal suffrage in parishes, towns, and cities, which was not formerly done.

The measures taken by Parliament were passed with great readiness. The regular army was increased by 5,000 men. A militia numbering 16,000 was raised. The Gunpowder Act¹ forbade the importation of powder and arms, and their removal from one part of the country to another, a prohibition which prevented any revival of the volunteers. The Convention Act² made all assemblies, except the Parliament, purporting to represent the people, either of a district or of the kingdom, unlawful, and required all magistrates to disperse such meetings. Grattan attempted to delay the Militia Bill, but the House would not listen to the proposal.³ He opposed the Convention Bill, and was beaten by 128 to 27.⁴ Other Acts of a defensive nature were also passed, as the Alien Act, the Traitorous Correspondence Act, and an Act for the trial of treasons committed out of the King's dominions.

Pitt's scheme of conciliation was general and included the Opposition. That body had been for some time bringing forward a place bill, a responsibility bill, and a pension bill. These measures were to be passed. The Hereditary Revenue, the additional duties, and all taxes not appropriated were to be carried to and constitute a consolidated fund, to be applied to the uses and purposes directed by the Civil List Act⁵ of this year, and to none other. A yearly sum of £145,000 to be issued thereout and applied to the payment of salaries and other charges on the civil list.⁶ The pension

¹ 33 Geo. III., c. 2.

² *Ib.*, c. 29.

³ *Irish Debates*, xiii., pp. 385, 391.

⁴ *Ib.*, pp. 529-539.

⁵ 33 Geo. III., §4.

⁶ It must be remembered in reading this arrangement that "since the accession of the House of Hanover, not a guinea of the revenue of Ireland had been applied to the support of the royal dignity. Pensions had, indeed, been granted to some of the royal family, but of these no man had

list was to be reduced to £80,000, which sum was never to be exceeded, and till the reduction, pensions granted in any one year were not to exceed £1,200. After reduction, no one pension to exceed £1,200 except to the royal family or on an address from either House of Parliament. No person holding a place created after the present session, or enjoying a pension for years or during pleasure, to be capable of being elected to Parliament, and actual members accepting a place of profit were to vacate their seats, though they might be re-elected. Persons appointed to offices worth £200 a year were to swear that they did not hold them for the benefit of a member of Parliament; and members after their election were to swear, on taking their seats, that they did not enjoy a pension for years or during pleasure, or any place incompatible with a seat in the Commons.¹

Pitt's plan did not end here. Barren heath or waste ground improved into arable land or meadow was exempted from tithe for seven years.² A Libel Act similar to Fox's was passed. The East India trade was opened to Irish manufacturers—the company, which possessed the monopoly, undertaking to provide 800 tons of shipping for carrying goods from Cork to the East Indies. But the most important benefits conferred on Ireland during this session arose from two Acts—one English, the other Irish. By an English Act, explaining the navigation laws, Irish merchants were allowed to import into Great Britain the productions of the West Indies. By the Irish Act,³ all persons inhabiting houses with only one hearth, and not occupying

ever disapproved" (Per Hely Hutchinson, then Provost and Secretary of State, *Irish Debates*, xiii., p. 477).

¹ 33 Geo. III., c. 41.

² Grattan had introduced a bill for the reclamation of barren land more than once, but its language and form were so defective that it did not become law (*Irish Debates*, xi., pp. 336-346).

³ 33 Geo. III., c. 14.

land or farms of more than five pounds yearly value, were exempted from the hearth tax, and thus, more than a half of the poorest population in Europe was freed from direct taxation, and practically from all taxation.

The rise of the United Irishmen and the league between the Presbyterians and Roman Catholics boded ill for the peace of the country, but there was another element in the universal anarchy which prevailed in Ireland during the last ten years of the eighteenth century, namely the Association of Defenders. To understand this general outbreak of the most indigent portion of the Roman Catholic population, it is necessary to bear in mind the condition of the peasantry. The great bulk of that peasantry had always been in extreme distress, but, at the time we are speaking of, their condition had become infinitely worse, owing to the vast increase of their numbers and the great rise in prices, while the value of their labour still remained at the old rate of remuneration. In spite of numerous dearths and famines, they had tripled their numbers since the commencement of the century, and the resources of the country had by no means increased in proportion to the advance in population. The best proof of their wretchedness is an Act which passed in 1793.¹ By this Act, more than one half of them were excused from paying a tax which, if divided among a family, amounted to fourpence a head per annum. The Penal Laws had pressed very heavily upon them, and discouraged all industrial life among them. But these laws had another effect which was equally fatal to the well-being of the peasantry. They reacted on those in whose favour they had been passed, and debased their moral and social instincts. In a well-ordered and well-governed community, we are surrounded and bound down by in-

¹ 33 Geo. III., c. 14.

numerable restrictions which shape our lives, and secure the fulfilment of our duties to our fellow-subjects. There is hardly a transaction among men that is not controlled or in some way affected by law. Public opinion, which is largely the creation of law, follows its footsteps, and, penetrating farther, exercises even a greater influence on conduct. But little is left to the caprice, the malice, or the enmity of individuals, for all are constrained by common rules. The direct tendency of the Penal Laws was to destroy the authority of these disciplinary and salutary restraints. They threw almost unlimited power into the hands of the privileged class, and placed them above the law ; generated a contempt for those against whom they were directed, and begot a sense of triumph which hardened the heart against the claims of duty or charity. Ireland was chiefly an agricultural country, and the vast majority of its inhabitants were Roman Catholics occupied in the cultivation of land. To the Penal Laws and to the feelings engendered by them must be attributed the indifference of land owners to the welfare of their tenants, the neglect of agriculture, and the sordid and inhuman custom of letting their lands to the highest bidder—a custom which effectually prevented the growth of affection or confidence between the two classes. The position of a Roman Catholic on the estate of a resident landlord was hard enough, but on the lands in possession of a middleman, or belonging to an absentee, he was ground to powder.

Certain tenets of the religion professed by the peasantry must also be taken into consideration. These tenets were unfavourable, in a high degree, both to their loyalty to a Protestant Prince and to harmonious communion with their Protestant fellow subjects. They looked not to their own Sovereign and legislature for the direction of their conduct and the performance of their social duties, but to a

foreign Prince. They admitted the spiritual supremacy of the Pope in faith and morals, and along with it a large amount of temporal power and jurisdiction, which is inextricably bound up with, and annexed to, a spiritual supremacy. Another belief entertained by them seriously affected their relation to their King and Protestant countrymen. From their cradle to their grave they were taught that they alone were the heirs of the Christian promises; and that outside their Church "there was neither salvation nor remission of sins".¹ So the infallible voice had declared, and a hierarchy, solely depending on and appointed by the Roman See, was sure to inculcate these maxims to their flocks.² It would be idle to deny, as long as human nature is what it is, that such uncharitable teaching exercises a strong influence on conduct, especially on that of the young and ignorant, and that instead of union and peace it breeds estrangement and builds up a wall of separation between the citizens of a country.³ Experience and observation show us that even a difference of political belief is a cause of animosity and division, but religion is a far more powerful engine of discord and disintegration. It may be asked what loyalty could be felt by a Roman Catholic who believed that his Sovereign was a heretic doomed to ever-

¹ "Unam Sanctam Ecclesiam . . . extra quam nec salus est nec remissio peccatorum." Bull *Unam Sanctam*. This Bull is given both in Latin and English in Manning's *Vatican Decrees*, 1875.

² It is not true that the Irish Roman Catholics in their oath renounced the infallibility of the Pope. The words of their oath are: "It is not an article of the Catholic faith, neither am I thereby required to believe or profess that the Pope is infallible". Dr. Troy, Archbishop of Dublin, published a pamphlet, in which he proved that Roman Catholics did not by their oath renounce the doctrine (*Irish Debates*, xv., p. 346).

³ Some Roman Catholics have ventured to assert that the English Church has preached the same doctrine of exclusive salvation. But the difference is very great in the teaching of the Churches. The English excludes those who deny the fundamental tenets of Christianity. The Roman Catholic excludes all other Christians.

lasting punishment, or what affection could he bestow on a Constitution which was founded on a Church Establishment which he despised as false, and regarded as an instrument for the propagation of heresy? It is impossible that such a man could give the same hearty and unmixed allegiance to a Protestant Government which a subject of the same persuasion gives. A merciful disposition or native independence of thought might lead an educated Roman Catholic to doubt this doctrine of exclusive salvation, but what was there to mitigate its evil effects among an ignorant and fanatical peasantry, who witnessed daily the condition of their own Church and the triumph of a heretical Church; who saw their nobility and gentry excluded from public life; and who believed that they themselves had been persecuted for their religion?

The word Defender originated in the county of Armagh, and was at first wholly unconnected with differences in religion. In 1784, two farmers, both Presbyterians, quarrelled and fought near Markethill, a small town in that county. The friends and neighbours of each of the combatants adopted the quarrel, and formed themselves into factions composed indiscriminately of Presbyterians and Roman Catholics. Each faction assumed the singular name of Fleet, and the fleet was denominated from the parish or townland where its members resided.¹ The Nappagh and the Bawn fleets were the first formed, the former being much the more powerful and better armed. The people living about Bunker's Hill, between Armagh and Newry, formed themselves into a third fleet, joined the Bawn fleet in order to resist the Nappagh fleet, and first took the

¹ Musgrave, *Rebellions, etc.*, i., p. 53; *Parliamentary Reports on Orange Associations*, 1835, p. 33.

name of Defenders.¹ In 1785, the two parties met—the Nappagh fleet numbering 700, all armed with guns, swords and pistols, the Bunker's Hill Defenders and the Bawn fleet more numerous but not so well armed—and were on the point of engaging, when some gentlemen of position in the county intervened and induced them to separate in peace. Gradually the old religious differences made themselves felt, and the Presbyterians and Roman Catholics separated into hostile camps, the latter retaining the name of Defenders. A system of mutual aggression and challenges ensued between the two parties, and numerous fights took place. The Defenders made every effort to obtain arms, and the Presbyterians, knowing that this was illegal, endeavoured to disarm them. For this purpose they visited or broke into their houses about daylight, and from this practice obtained the name of Peep of Day Boys. In 1787, the disturbances in the county were so numerous that two troops of dragoons were sent to Armagh.² Early in 1788, the Viceroy, having received information of many outrages, ordered troops to march to Armagh, Tandragee, Keady and Newtown Hamilton to assist the civil magistrates.³ In the same year, Lord Charlemont, the governor of the county, and the grand jury issued a manifesto against all Roman Catholics who should assemble in arms, and also against those who should attempt to disarm them without legal authority.⁴ Charlemont thought he had pacified all parties,

¹ Mr. Lecky says: "The name taken by the Catholics implies that the Protestants were the aggressors". This misstatement as to the origin of the term and implied vindication of the Defenders can be traced. It first appeared in Wolfe Tone's cunning defence of the Roman Catholic sub-committee; from that production it passed to a book, *Pieces of Irish History*, compiled in New York by two United Irishmen who had escaped the well-deserved gallows. The younger Grattan adopted it, and from him Mr. Lecky borrowed it.

² Musgrave, i., p. 55.

³ *Charlemont Correspondence*, ii., p. 69.

⁴ Musgrave, i., p. 57.

but he was soon undeceived.¹ In November following, a small body of the Benburb volunteers, numbering thirty-nine, with their side arms only, were marching to Armagh for divine service. On their way they were attacked by a large crowd of Defenders, who pursued them into the town with volleys of stones. The volunteers, having received information that they would be waylaid on their return, borrowed eleven muskets to defend themselves. On reaching the place, a narrow, sunken defile, where the morning attack had begun, they found several hundred Defenders collected. The officer of the volunteers sent a messenger to the Defenders entreating them to allow his party to pass, and disavowing all intention of molesting them. An answer was returned that the volunteers might pass. They had nearly got through the crowds which lined the ditches on both sides of the road, when a volley of stones was thrown, which knocked down some volunteers and struck many more. Upon this, three or four of the volunteers fired, but without effect. A cry was then raised among the Defenders, "D—— them, they have nothing but powder," and the stoning was continued. The volunteers then fired again, and two of the Defenders fell. To prevent themselves being surrounded in the narrow road, the volunteers crossed into a field, and while doing so their officer was knocked down by a stone and his gun taken from him. On seeing this the volunteers fired, wounding three or four more. Some days after, the Defenders lodged information against, amongst others, two volunteers who were employed on a bleach green. In order to apprehend these men, several hundred Defenders, of whom a hundred were armed with guns, the rest with swords and spears, surrounded the bleach green, and remained there a night and a day. The

¹ *Charlemont etc.*, ii., p. 76.

owners of the green went to Armagh and requested a magistrate to go to their relief. The magistrate took some regulars with him, and on their arrival the Defenders carried arms as the soldiers passed them. The two volunteers surrendered themselves, and then the Defenders "were pleased to disperse."¹

Defenderism soon spread far and wide. In 1789, it had become a secret association, with lodges scattered over the country, and communication between those in different counties fully established. The Defenders had their committees, their officers whom they were bound to obey, and their secret oath.² Like the United Irishmen, they dispersed seditious emissaries among the people to work upon their hopes and to entice them to acts of violence.³ Their outrages, outside the county of Armagh, first attracted the attention of Government in 1790. During this and the following year a great number of them were brought to justice and transported. Notwithstanding these examples, they broke out into open insurrection during the years 1792 and 1793 over sixteen counties and attacked Protestants of all denominations. It would be impossible to give a catalogue of their crimes against individuals, a few only of their most daring and remarkable misdeeds will be given here. So many barbarous outrages were committed by them against the Protestants of the county Louth, the smallest in Ireland, during the autumn and winter of 1792, that at the following Spring Assizes twenty-one Defenders were sentenced to death, twenty-five to transportation, twelve to imprisonment for conspiracy to murder, thirteen who were indicted for murder postponed their trials, and

¹ The whole of this story is given in *Charlmont's Correspondence*, ii., pp. 78, 79, 83.

² Musgrave, ii., Append., p. 2; *Irish Debates*, xvi., p. 102.

³ *Irish Debates*, xvi., p. 102.

warrants were issued against eighty who had absconded.¹ On the 22nd of January, 1793, a large body of well armed Defenders attacked a detachment of the 41st regiment near Petersville, county Meath. About the same time, a company of the same regiment was attacked at Manor Hamilton in Leitrim by Defenders who destroyed their baggage. In the same month, a large band of them assembled at Woodford in Galway, declared they would pay no more taxes, and swore many of the people to be true to them and their cause. In February, one body of Defenders attacked a detachment of the 8th regiment at Athboy in Meath, and another attempted to carry off four cannon from Garrett's-town, but were repulsed by the local volunteers. On the 13th of this month, a proclamation was issued offering a reward of £100 to anyone who would discover and prosecute a Defender. About the same time, a large body of them at Ardee, in Louth county, fired on the King's troops, who returned the fire, killed seven of the Defenders, and took many prisoners. In May and June, there was a general rising of Defenders in Sligo, Leitrim, and Roscommon ; houses were plundered and burned throughout a large district. On the 15th July, 3,000 Defenders marched to attack the town of Wexford. Major Vallaton was shot at the head of a party of his regiment while defending the town, and eighty lives were lost on this occasion. In the same month a detachment of the 38th regiment was attacked by them ; though the soldiers fired on them, they succeeded in burning the house of an active magistrate in the neighbourhood. Towards the end of 1793, there was a lull in the outrages, and at the opening of Parliament in January 1794, the Viceroy told the Houses that " the spirit of insurrection, which was for some time prevalent among

¹ Musgrave, i., p. 63. See also a pamphlet published in Dublin in 1798, under the title, " To the Magistrates, Military and Yeomanry ".

the lower orders of the people, is in general suppressed".¹ But the disturbances soon recommenced. In February, numerous bodies of Defenders assembled near Bandon in Cork, and swore many people not to pay taxes and to obey Captain Right. They even threatened to storm the town. In March, they attacked a party of the Carlow militia and wounded a magistrate with the militia while reading the Riot Act. At Drumsna in Leitrim, a party of Defenders drove nine policemen into a house, which they set on fire and murdered the policemen as they endeavoured to escape from the flames. In May, a very large body of Defenders assembled at Kilnaleek in Cavan, and remained three days under arms; while there, they laid waste a large tract of the estate of the Bishop of Meath, having plundered and burned the houses of many of his tenants. In August, 10,000 Defenders assembled on the hill of Slievebawn in Roscommon, and sent a detachment of 2,000 men to burn the house of a Mr. Mills.²

In the winter of 1794, the Defenders' system of midnight murder, robbery, and arson threatened the lives and properties of every Protestant throughout large districts of Ireland. Their oath at this time was "to aid and assist the French when they should invade Ireland, and to fight under General Jourdan". Mr. Sergeant Stanley, who had often gone on circuit as judge in different parts of the country, declared in the House of Commons that innumerable judicial records in the North, West and East proved that this oath was the common bond of union between the Defenders, and "that he himself had seen in his special

¹ *Irish Debates*, xiv., p. 2.

² These facts are taken from Musgrave, and the pamphlet entitled, "To the Magistrates, Military and Yeomanry of Ireland". The statement as to the number killed at the Battle of Wexford is from *Irish Debates*, xvi., p. 23.

situation the same facts and the same oaths proved in the most distant parts of the West that appeared in evidence before him in the most distant parts of the East and North".¹ "These men, who are called Defenders," said Wolfe Tone in February, 1796, "are completely organised on a military plan, divided according to their respective districts, and officered by men chosen by themselves; the principle of their union is implicit obedience to the orders of those whom they have elected for their generals, and whose object is the emancipation of their country, the subversion of English usurpation, and the bettering the condition of the wretched peasantry of Ireland. The eyes of this whole body, which may be said, almost without a figure, to be the people of Ireland, are turned with the most anxious expectation to France for assistance and support. The oath of their union recites 'that they will be faithful to the united nations of France and Ireland' and several of them have already sealed it with their blood. . . . This organisation of the Defenders embraces the whole peasantry of Ireland being Catholics." ² This general union accounts for the confidence of the Defenders. In the province of Connaught their revolts bore the appearance of civil war; "bodies of insurgents marched in array through the country and offered battle to the King's troops; others of them attacked and plundered of arms the King's towns, Drumsna and Athleague; another body stormed the iron-works at Arigna, put the workmen into a state of requisition and obliged them to make pikes, spears and other weapons to arm the insurgents. . . . They had set up a military law of their own, and established courts martial, by which they tried all persons who presumed to apply to the jurisdiction of the civil magistracy; and in the counties of Roscommon,

¹ This was said on the 14th October, 1796; *Irish Debates*, xvii., p. 65.

² Tone's *Life*, ii., p. 188.

Sligo and Leitrim, they actually sentenced men to receive 500 lashes upon their backs and inflicted the punishment for this mode of appeal".¹ Contemporaneously with these public acts, the Defenders committed the most atrocious cruelties and barbarities upon individuals. They assembled generally at night for the purpose of plunder and murder, and this circumstance rendered it almost impossible to discover the guilty.² It was part of the system of the Defenders to murder those who were likely to give evidence leading to a trial, and those who had given evidence at a trial of Defenders, or who had prosecuted them.³ The frequency of the murders of witnesses led to a change in the law, and it was enacted that the depositions of a murdered witness should be good evidence to go to a jury. One proceeding of the Defenders deserves notice as a proof of their utter contempt for the civil powers. In the spring of 1795, the magistrates of the county met in the town of Roscommon to consult on the means of raising the price of labour. While they were sitting, a local insurrection broke out, and the house of a gentleman, who was then advocating an increase of wages, was plundered and burned though close to the town.⁴ Shortly after this, the Government sent down Lord Carhampton with an armed force into Connaught. He and the magistrates adopted a summary, but very necessary mode of procedure. Defenders were seized and sent to serve in his Majesty's fleet, but "no man was sent away from the county in which he lived, who was not

¹ *Irish Debates*, xvi., p. 43.

² "These wretches associate together by night for the purpose of plunder, murder and devastation" (Per the Attorney-General, *Ib.*, p. 103).

³ "They [Defenders] have adopted another system, which is to prevent witnesses appearing against them in trials; they have adopted a system of assassination" (The Attorney-General, *Ib.* See also the horrors mentioned by one of the members for the county Westmeath, *Ib.*, p. 49).

⁴ *Ib.*, xxv., p. 24.

sworn against as a Defender, and deemed guilty by the committee of magistrates sworn to do justice, or who did not afterwards confess his guilt and went without reluctance, thankful for his life being saved".¹ A bill was introduced in 1796, indemnifying Lord Carhampton and the magistrates for any acts committed by them in restoring peace to Connaught. Grattan made an attempt to delay its passing, but his motion was put aside without a division, even his friend and follower, Mr. Conolly, declaring that if Grattan desired proof of the necessity of the Act, "he would call for the attendance of the widows and orphans who had been left to survive the crimes and outrages of those miscreants who had disgraced the country"².

The success³ which attended the measures of Lord Carhampton and the western magistrates induced the legislature to pass a very severe Act against the Defenders, giving the magistrates in proclaimed districts similar powers of sending idle and disorderly persons to serve in the fleet. In order to justify the stringency of the proposed Act, the Attorney-General in February, 1796, moved four resolutions, which passed the House with the single negative of Lord Edward Fitzgerald.

1. That the spirit of conspiracy and outrage, which has appeared in certain parts of this kingdom, and has shown itself in various attempts to assassinate magistrates, to murder witnesses, to plunder houses, and seize by force the arms of his Majesty's peaceable subjects, requires that more effectual powers should be given to the magistracy.

2. That in such parts of this kingdom as the said spirit has shown itself, or to which there may be cause to apprehend its being extended, it will be necessary that the

¹ *Irish Debates*, xvi., p. 49.

² *Ib.*, p. 45.

³ As to this success, see the general testimony given in the Commons, *Irish Debates*, xvi., pp. 42-52, and by the Attorney-General, *Ib.*, p. 102.

magistracy should have enlarged powers of searching for arms, ammunition and weapons of offence, and of seizing or securing the same, for the preservation of the peace and the safety of the lives and properties of his Majesty's peaceable and loyal subjects.

3. That from the many attacks which have been made on the houses of individuals by large bodies of armed insurgents for the purpose of taking arms and money by force, and murdering those who had the spirit to enforce the laws or give information against offenders, it will be necessary that the magistrates should have enlarged powers to prevent such bodies hereafter from assembling or meeting either to plan or execute such horrid purposes.

4. That it will be necessary to give the magistracy further powers with respect to vagabonds, idle and disorderly persons, and to persons liable to be deemed so, or who have no lawful trade, or any honest means to obtain a livelihood.¹

The Act² founded on these resolutions, though extremely rigorous, passed the Commons without a division. It enabled the Lord Lieutenant and Council, upon the requisition of seven magistrates assembled at a session of the peace, to proclaim the whole or any part of a county. After such proclamation, magistrates might arrest all persons found out of their houses from one hour after sunset till sunrise, and bring them before two justices of the peace. If such persons could not prove that they were absent on lawful business, they were to be deemed idle and disorderly and sent on board the fleet. Magistrates might also enter houses between the same hours, and all persons absent therefrom were to be treated in the same way. All

¹ *Irish Debates*, xvi., pp. 102-106.

² 36 Geo. III., c. 20. "An Act more effectually to suppress insurrections, and to prevent the disturbance of the public peace."

persons taking unlawful oaths, or tumultuously assembling in the day time, or found in public houses after nine o'clock at night, or hawking seditious papers, or unable on examination to prove that they followed a lawful occupation or had a sufficient substance of their own, were to be considered idle and disorderly and to be sent to the fleet. There were also exceedingly strict provisions relating to the possession and registration of arms. This law was enacted, we are told in the report of the secret committee of the Lords, 1798, in consequence of a system of midnight murder, robbery and outrage which began in 1792, and was so matured in 1796 under the influence and direction of the Irish Union as nearly to depopulate a very considerable district in two of the provinces of every loyal and peaceable inhabitant of it. The Act was not put into execution until the 14th of November, 1796;¹ where it was enforced by an active magistracy it did much good, but treason was too deeply rooted to yield to this remedy, and the Defenders and United Irishmen had already become amalgamated into one association.

In all the counties of Ireland, except four, the Protestants were greatly outnumbered. In each county there were then but a few constables, and the duties which are now fulfilled by the police were performed by the army. The small numbers of the Protestants dispersed over a county prevented their union for defence; and soldiers are slow to move, and unfit to act as police. The defenceless isolation of the Protestants made them an easy prey to the Defenders. But it was wholly different in Armagh, where the strength of the Presbyterians guarded themselves and the other Protestants from the wanton and cruel outrages which were committed in the other counties. Though there were

¹ Report of the secret committee of the Lords, 1798.

many challenges and combats between the Peep of Day Boys and the Defenders, their contests at first resembled the squabbles of well-matched factions. But a hideous outrage of the Defenders altered at once the relations which had existed between the two parties, and turned the fights of faction into a religious war. Richard Jackson of Forkhill, in the county of Armagh, died in 1787, having devised an estate of about £4,000 a year to the following purposes: that his demesne of 300 acres, all unoccupied land, should be colonised by Protestants, and that four schools should be established on it to instruct, without charge, children of all denominations. In 1789, the trustees of the will obtained a private Act of Parliament to enable them to carry out its provisions, and they appointed one of themselves, Edward Hudson, rector of Forkhill, to be their local manager. Hudson did his best to introduce some order and industry into the district, but the savage inhabitants were opposed to all change, and openly declared that they would not suffer the establishment to be made. Hudson was twice fired at, and the new colonists were persecuted and their property destroyed. Alexander Barclay, a Protestant, had been appointed master of one of the schools. Though he was paid for sixty scholars only, he had, for the six months previous to the attack on him, been teaching upwards of a hundred, and was, to all appearance, a general favourite with his neighbours.¹ On the evening of the 28th of January, 1791, a band of Defenders rushed into his house, threw him on the floor, and stabbed him repeatedly. They then put a cord round his neck so as to force out his tongue, which they cut off as far as they could reach. Lastly, they cut off the four fingers and thumb of his right hand. From the husband they turned to the wife, a handsome

¹ Hudson to Dobbs, 29th January, 1791, *Charlemont Correspondence*.

young woman. They cut off one of her breasts, sawed off four fingers and a thumb, and cut out her tongue. They then battered and bruised her in a dreadful manner.¹ Her brother, a lad of thirteen, had come from Armagh that morning to visit her. They cut out his tongue, and cut off the calf of one of his legs. While the miscreants were torturing Barclay, he asked them whether he had ever offended them. They said not; but that was the beginning of what he and those like him would suffer.² The Defenders then plundered the house, and, as if exulting in their triumph, marched on their road with lighted torches.³

This appalling crime created the greatest alarm and terror amongst the Protestants of all denominations in the county, and these feelings were intensified by the threats uttered against them,⁴ and the extraordinary zeal of the Roman Catholics in collecting arms. At the spring Assizes for the county, 1791, that is, about three months after the Forkhill tragedy, the grand jury and the sheriff passed the following resolution, "that a rage among the Roman Catholics for illegally arming themselves has of late taken place and is truly alarming; in order then to put a stop to

¹ The wife died, the husband and the boy survived. It is extraordinary that all letters relating to this tragedy have been omitted from the edition of the *Charlemont Correspondence* authorised by the Master of the Rolls.

² Select Committee on Orange Lodges, p. 4; Report of the Trustees of the Charity, Musgrave, i., p. 61.

³ See Musgrave and the Report of the Trustees of the Charity to the Bishop of Dromore, given by him, i., pp. 59-62. The evidence of Colonel Verner before the Select Committee on Orange Lodges, 1835. Verner knew the boy and had heard the story from him.

⁴ "The Protestants are everywhere in the greatest terror, and unless Government affords them assistance must leave the county, as this recent instance of inhumanity, and the threatenings thrown out against them, leave no doubt upon their minds of what the intentions must be against them" (Report of the Trustees).

such proceedings and to restore tranquillity, we do pledge ourselves to each other as magistrates and individuals, and do hereby offer a reward of five guineas for the conviction of each of the first twenty persons illegally armed and assembled as aforesaid".¹ In 1792, Wolfe Tone, the United Irishmen, and the General Committee of the Roman Catholics made great efforts to compose the quarrels between the Defenders and the Peep of Day Boys.² Early in the following year, some Roman Catholic prelates published exhortations to their flocks enjoining obedience to the laws, and, later in the same year, Archbishop Troy issued a pastoral letter to the Roman Catholics of his diocese, in which he expressed his abhorrence of the outrages committed by the Defenders, whom he branded as "the vilest offenders and transgressors of Divine and human laws".³ These efforts and exhortations had some effect in quieting the country for a time, but the disturbances broke out again with great violence in 1795. In the September of this year, a large body of Defenders appeared in arms near Loughgall in Armagh. The Peep of Day Boys assembled to oppose them. The parties skirmished for a day or two without much harm. A gentleman of property, Mr. Atkinson, and the priest of the parish endeavoured to reconcile the parties and succeeded so far as to induce them to agree to a treaty of peace. Both parties separated and were on their way home, when the Defenders were reinforced by large contingents from the counties of Louth, Monaghan, Cavan and Tyrone. In spite of the treaty so lately concluded, the Defenders attacked the little village known as the Diamond. Protestants of all denominations in the

¹ Plowden, ii., p. 335; Musgrave, i., p. 62.

² Tone's *Life*, i., pp. 163-177. See also the Address of the General Committee to the Defenders, *Ib.*, i., p. 479.

³ Seward's *Collectanea Hibernica*, iii., pp. 92-97.

neighbourhood united for the defence of the village, and a sharp conflict took place in which the Defenders, though by far the more numerous, were defeated with a loss of twenty or thirty.¹ This battle of the Diamond took place on the 21st of September, 1795, and, on the evening of the same day, the first Orange lodge was formed by Episcopalians for defence and mutual protection.²

Before the battle of the Diamond, the Defenders had shown the utmost hostility to the Protestants of the county, and had threatened "to destroy man, woman and child of them".³ But their defeat and the dispersion of their allies had disheartened them; nor could they expect a new treaty to be offered them. Their old opponents, the Peep of Day Boys, took advantage of their defeat, and commenced a barbarous persecution of all Roman Catholics for the purpose of driving them out of the county. The outrages of the Peep of Day Boys became so numerous and atrocious that Lord Gosford, Governor of the county, called a meeting of the magistrates in order to devise the best means of checking the disturbances. Twenty-four magistrates attended the meeting and unanimously agreed to the following resolution: "That it appears to this meeting that the county of Armagh is at this moment in a state of uncommon disorder; that the Roman Catholic inhabitants are grievously oppressed by lawless persons unknown, who attack

¹ See the Report of the Select Committee on Orange Lodges, pp. 6, 35 213, 214.

² The expression, Orange lodge, had long been known in the North of Ireland. In 1783, when the first stone of the Belfast White Linen Hall was laid, there was a procession in the town which was led by the Belfast Orange lodge. This lodge consisted of a hundred and fifty noblemen and gentlemen of the first distinction. It had been revived in 1780, and was well known for its munificent acts of charity and benevolence (*Belfast Historical Collections*, p. 233).

³ *Irish Debates*, xvii., p. 153. Note that in this volume there are two series of pages numbered the same way.

and plunder their houses by night, and threaten them with instant destruction unless they immediately abandon their land and habitations".¹ A committee was formed and measures adopted which seem to have gradually quieted the greater part of the county.² One portion, however, that which touched on Newry, continued disturbed, and on the 2nd December, 1796, was, on the memorial of eighteen justices of the peace, proclaimed under the Insurrection Act, as was also a part of the parish of Newry.³

Scribblers like Plowden⁴ have attributed this persecution to Orangemen, but a few considerations will show us how groundless this charge is. The meeting of magistrates convened by Lord Gosford took place on the 21st of December, 1795, that is, exactly three months after the establishment of the first Orange lodge. The lodge was composed exclusively of Episcopalians,⁵ and its members were bound by their own constitution to support every peaceable man in the exercise of his religion, whatever it might be.⁶ The county had been disturbed for ten years by the mutual quarrels and outrages of the Defenders and the Presby-

¹ The fullest account of this meeting, and the measures adopted by the magistrates, is in Seward's *Collectanea Hibernica*, iii., pp. 157-161.

² "As for what you hear from Armagh I hope and trust there may be some mistake. Immediately after the Assizes some few outrages were, I believe, committed, but they were speedily checked, and since that time tranquillity is so perfectly restored that many of the fugitives have returned, have repaired their houses and dwell in them quietly and undisturbed" (Charlemont to Haliday, 2nd July, 1796. *MSS. of Charlemont*, ii., p. 275).

³ *Ib.*, iii., pp. 177-179.

⁴ Plowden has even gone so far as to assert under an "is said," that the Orangemen were bound by an oath to exterminate the Roman Catholics (vol. ii., p. 537).

⁵ First Report of the Select Committee on Orange Lodges, pp. 46, 258.

⁶ *Ib.*, pp. 14, 36. See a remarkable declaration of the Orangemen presented to the Lord-Lieutenant on the 25th February, 1798, quoted at page 14 of the First Report.

terian Peep of Day Boys; yet we are asked to believe that the newly-formed Orangemen, who were not Presbyterians, were guilty of this persecution. Four of the magistrates who, with Lord Gosford, had condemned the persecution, afterwards joined the Orange Society.¹ Is it likely that these gentlemen, one of whom was brother of Lady Gosford and another a high ecclesiastic, would have become Orangemen if they believed that the Society had joined in the persecution which they themselves had denounced? Wolfe Tone's journal comes down to June, 1798. He was kept well informed of the state of affairs in Ireland by the numerous exiles who found him in Paris. If the Orangemen had been conducting themselves in 1795 and 1796 as alleged by their enemies, Tone would have heard something of it; yet the word Orangeman does not occur in his journal. Colonel Cradock was sent down to Armagh to put an end to these disturbances, but he knew nothing of Orangemen. On the 22nd of February, 1796, he stated in Parliament: "The conduct of the Protestants called Peep of Day Boys in the county of Armagh was atrocious, and their barbarous practices must certainly be put down, but, at the same time [he must mention], that in September last the Catholics were the aggressors".² On the 13th of October, in the same year, a member speaking in the Commons of these disturbances described the two parties engaged in them as "the adverse parties of Puritans and Papists, that is, certain obstinate Roman Catholics on the one side, and various sectaries, perhaps more obstinate still, under the name of Presbyterians, on the other".³ Seward, the author of the *Collectanea Hibernica*, does not mention Orangemen as the persecutors of the Roman Catholics. He says, writing of the

¹ Report of Select Committee on Orange Lodges, pp. 257, 258.

² *Irish Debates*, xvi., p. 112.

³ *Ib.*, xvii., p. 42.

beginning of the year 1797: "The contentions which continued in Ulster between the Peep of Day Boys and the Defenders obliged many Roman Catholic families, particularly of the lower class, to flee from the county of Armagh and to seek refuge amongst the inhabitants of Connaught".¹

¹ Vol. iii., p. 191.

CHAPTER XXI.

THE FITZWILLIAM EPISODE.

DURING the session of Parliament in 1794, no mention whatever was made of the Roman Catholic question. In the previous session of 1793, towards its end, George Ponsonby in the name of his brother William had introduced a plan of reform but it had not been debated. It was again brought forward in this session, 1794, by William Ponsonby. It proposed that each county, and the cities of Dublin and Cork, should return each three members instead of two. It enlarged all the other cities, towns and boroughs, returning members to Parliament, to a distance of four miles from the centre of each, and gave a vote to every resident in the district thus formed who had a ten pound freehold. The plan also contained the most elaborate provisions for settling the boundaries of the several districts.¹ The introduction of this bill by the Ponsonbys and Grattan, when the country was engaged in a war and distracted by conspiracies, was an act of folly. Nobody wanted the bill. As was said during the debate, "no one body in the country corporate or incorporate, no society of loyal subjects, no requisition of freeholders to their Sheriff, no petitions of the People to their Parliament, had given colour to the adoption of this measure."² Even the introducers of the bill themselves entertained no hopes of its passing. "I well

¹ *Irish Debates*, xiv., pp. 62-68.

² *Ib.*, p. 104.

remember," says Alexander Knox, "to have heard the gentleman who seconded the motion for the bill being received and read, declare that he and his friends had so little encouragement from the Public, that they only brought the business on from a regard to their own consistency. For [said he] how can we hope to succeed when we are not supported by a *single petition*?"¹ The United Irishmen scoffed at it. Dr. Drennan thus described it in a letter written by him to Lord Fitzwilliam in 1795: "it appeared to be dictated by a spirit of penurious and starveling policy. It seemed rather to proceed from a discouraged Opposition, wishing to obtain something, rather than to suit a generous administration desirous to give all . . . it was a plan which turned legislators into land measurers, and land measurers into legislators . . . paling in as with pieces of pack-thread the liberality of the Constitution, and circumscribing with brief authority the principles of eternal justice."² The bill was rejected by 142 to 44".³

In the spring of this year, 1794, William Jackson, an Irish clergyman, came to England on a secret mission from the Committee of Public Safety in Paris, in order to discover the disposition of the people towards the French. He learned that the English were patriotic and that all parties would unite to repel an invasion. He then resolved to go to Ireland on a similar errand. During his stay in London he divulged his plans to an old friend, Cockayne, an attorney, who at once communicated them to the Government. Cockayne was directed to accompany Jackson to Ireland, and the pair arrived in Dublin on the 1st of April, 1794. A day or two after their arrival, Jackson made

¹ *Political Essays*, p. 178.

² Letter to Lord Fitzwilliam, 1795. In the Haliday Collection of Pamphlets, Royal Irish Academy.

³ *Irish Debates*, xiv., p. 108.

acquaintance, or renewed an old one with Leonard Macnally, a barrister and a United Irishman.¹ Macnally asked the two strangers to dinner and also others to meet them; among whom were Simon Butler and Lewins afterwards the agent of the United Irishmen in Paris. During dinner, something was said of Hamilton Rowan, then in Newgate. By means of Lewins, Jackson was introduced to Rowan, who invited him and Cockayne to breakfast to meet a third person, and to concert the means of sending a trusty negotiator to the French Government. The meeting took place, the persons present being the host, Jackson, Cockayne and Wolfe Tone. A statement of the situation of Ireland, written by Tone, was produced and read. This document was intended to show the weakness of the Government in Ireland, and the readiness of the Roman Catholics to join the invaders.² Jackson was pleased with the statement and urged Tone to go to France. Tone objected on several grounds, he had a wife and children, he would lose money due to him by the Roman Catholic Committee, etc. At this time Tone was obliged to attend the assizes at Drogheda, and on his return positively declined to go. Rowan then recommended Dr. James Reynolds as a fit and proper person. When Reynolds was applied to, at first he consented to go, then remembered he did not understand one word of French, and finally determined not to hazard the journey. Tone's production fell into the hands of Government; and on the 28th of April, Jackson was arrested.³ Rowan and Reynolds fled the country.

¹ Madden, *United Irishmen*, ii., p. 572.

² The document proved at the trial is different from that given in Tone's *Life*. The real statement is to be found in *State Trials*, xxv., p. 841.

³ Jackson was not tried till the 23rd of April, 1795, nearly a year after his arrest. He was arraigned before the King's Bench on the 30th of June, 1794, and pleaded not guilty. On the motion of the Attorney-General, the 7th of the following November was appointed for the trial.

Tone was apprehended and brought before the Privy Council at the Castle. Being examined, he told all he knew, but refused to swear any information or appear in court as a witness. At the same time he said that, if forced to do so by compulsory process, he would declare himself further. A friend of Tone's, Marcus Beresford, a son of the First Commissioner of Revenue, endeavoured with success to save him from a prosecution. The Government agreed not to put Tone on his trial on the terms proposed by Beresford, namely, that he should leave the country and go either to America or the East Indies, and that before leaving he should deposit with Beresford a minute detail of all conversations between Jackson, Rowan and himself. This narrative was given to Beresford by Tone on the express condition that it should not be used to the prejudice of any person mentioned in it, but that, in case he himself should return to the country before the expiration of a certain time, it might be produced to procure his own conviction. Beresford adhered strictly to his promise, and kept the document, which contained important and interesting information respecting the plans and intentions of the United Irishmen, under lock and key till his death in 1797. After his death it was discovered by his widow, who preserved it with equal care until she left Ireland after the rebellion, when she delivered it to Lord Clare. He also kept it secret.¹ Though Tone had agreed to leave the

On that day Jackson applied for a postponement, which was granted. On the 26th of January, 1795, Jackson was put to the bar, and said he was ready for trial, but the Attorney-General applied for a postponement, on the ground of the absence of a witness. Finally, the trial took place on the 23rd of April, 1795. On the 30th, Jackson was brought up for judgment, but died in the dock, having taken a large dose of arsenic. The trial is well worth reading, as showing the indulgence and even tenderness of the Court of three Judges towards the prisoner.

¹ See the history of this transaction in the letters of Marcus Beresford; *Beresford Correspondence*, ii., pp. 24-35; and compare with it Tone's own account, *Life*, i., pp. 114-120.

country, he continued to act as secretary to the Roman Catholic sub-committee, and actually accompanied to London the deputation which was despatched to England to pray for the continuance of Lord Fitzwilliam as Viceroy, in the early part of 1795. During the short administration of that nobleman he was not troubled. His son even asserts that he was asked to join Grattan's party, but that he refused,¹ a statement extremely improbable. On the accession of Lord Camden, Tone was required to fulfil his engagement, and on the 20th of May, 1795, left Dublin for Belfast. In Tone's statement of what he calls his compromise with Government, he acknowledges "that it was certainly in the power of the Government, if they pleased, to ruin me as effectually as they possibly could by my death". Yet this unscrupulous man felt no gratitude for the mercy extended to him. Before he left Dublin he had interviews with Russell and Thomas Emmet, and with Keogh and Richard McCormick, secretary of the General Committee of Roman Catholics. To them he unfolded his plans of going to France and obtaining help from that country, and was awarded their most cordial approbation.²

In July, 1794, a number of Whig magnates, as the Duke of Portland, Lord Fitzwilliam, Lord Spencer, Mr. Windham, etc., disapproving of the policy of Fox, seceded from their party and joined the government of Pitt. The coalition—as one of the parties to it, Mr. Pelham, afterwards the Earl of Chichester, declared—was unconditional and "without any stipulation whatever".³ Lord Fitzwilliam, indeed, in one of his two intemperate letters to Lord Carlisle written in forgetfulness of duty and truth, says, "if the general management and superintendence of Ireland had not been offered to his Grace [Portland], that coalition could

¹ *Tone's Life*, i., p. 128.

² *Ib.*, pp. 124-127.

³ *Irish Debates*, xv., pp. 184, 190.

never have taken place". But this statement is disproved by the conduct of the Duke himself. Immediately after the coalition had taken place, the Duke proposed to Pitt that he himself should take over the department which Dundas then filled, *viz.*, the Colonies and the conduct of the war. Pitt was greatly embarrassed by the proposal. He feared that the new union might be dissolved, but was resolved not to entrust the conduct of the war to Portland. He wrote at once to Lord Grenville, suggesting that, if he were to take the new-modelled Home Department, the Duke would probably be satisfied to succeed Grenville in the Foreign Office. "I am persuaded," wrote Pitt, "you will agree with me that the two things to be avoided are, that the arrangement should break off, or that the War Department should be put into the Duke of Portland's hands¹." Lord Grenville placed himself at the disposal of Pitt, but the sacrifice was not required, for two days later Pitt wrote to Grenville "I can now have the satisfaction to tell you that everything is finally settled, and in a better way than we expected . . . The Duke says the Foreign Office is that of all others which he would the least like to accept, and that it cannot be so well in any hand as yours. The result is that he has made up his mind to accept the Home Department *without* the management of the war, but *with* the Colonies²." It is manifest that if, as Lord Fitzwilliam says, the Duke had been allured into the coalition by the offer of the management of Ireland, he would not immediately after have applied for Dundas's place.

Pitt took a large and generous view of the new alliance. Though many of his friends doubted the wisdom of admitting the Whigs into his administration, he himself

¹ Pitt to Lord Grenville, *Dropmore MSS.*, ii., p. 595.

² *Ib.*, p. 597.

had no fears. "Are you not afraid," said one, "that you may be outvoted in your own Cabinet?" "I am under no anxiety on that account," was the reply. "I place much dependence on my new colleagues, and still more on myself".¹ Accordingly, the Duke of Portland obtained the Home Department. Lord Spencer became Lord Privy Seal, and afterwards took his place at the Admiralty; and Lord Fitzwilliam was made Lord President, with the understanding that he should be sent to Ireland as Viceroy, but not until a suitable office had been found for Lord Westmoreland, who had accepted the Lord-Lieutenancy on the express condition that he should return to one not less advantageous than the Post Office, which he had quitted.² Until such a situation could be found, Fitzwilliam could not go to Ireland.

Pitt not only called the English Whigs to office, but he resolved to treat the Irish in the same way, notwithstanding their conduct on the Regency question, provided the claims of those who had acted so loyally on the same occasion were not interfered with. "Anything that appeared to me," he wrote in the following December to the Marquis of Buckingham,³ "to convey an imputation on your system of measures in Ireland, or to injure the fair claims of those who supported you, I felt myself bound decidedly to resist, from a sense of what was due to you as well as to myself. But, on the other hand, I could not feel that, under the present circumstances, the past conduct of those of whom you and I had so much just reason to complain ought to be a

¹ Stanhope's *Life of Pitt*, ii., p. 253.

² Lord Grenville to Thomas Grenville, *Court and Cabinet of Geo. III.*, ii., p. 313.

³ Mr. Lecky calls this nobleman Lord Buckinghamshire. The nobleman of this name had been Lord-Lieutenant of Ireland in 1797; Lord Buckingham was Lord-Lieutenant when the Regency question arose, that is, 1787-1789.

bar against readmitting them to a share of the Government, provided they were willing to join on fair and honourable grounds, and on the same principles as have been felt sufficient to bury former distinctions of party in this country.”¹

In one of his letters to Lord Carlisle, Fitzwilliam says that he had been “compelled, by incessant solicitations and the most urgent importunities,” to undertake the Government of Ireland. His conduct from the first day of the coalition was wholly inconsistent with this statement. He published his nomination everywhere. On the 11th of August, 1794, long before he was appointed, and while it was still uncertain when he should go to Ireland, he wrote to Thomas Grenville, then at Vienna, to offer him the Chief Secretaryship.² On the 23rd of the same month he appealed to Lord Charlemont for his support, in the event of his being appointed Lord-Lieutenant.³ On the same day he wrote to Grattan, who was then personally unknown to him, apprising him of his approaching appointment, and calling him and his party to his future councils. From the first paragraph of this letter it is evident that Fitzwilliam was not then justified in taking any step whatever with reference to his future administration. He commences: “Though I have not as yet the honour of an appointment to succeed Lord Westmoreland, there certainly is great probability of that event taking place very soon.” He then tells Grattan that he intends to take the system of the Duke of Portland “as the model by which I shall regulate the general line of my conduct. . . . It is, sir, to you and your friends the Ponsonbys, that I look for

¹ *Dropmore MSS.*, ii., p. 653.

² Thomas Grenville to Lord Fitzwilliam, *Court and Cabinet of Geo. III.*, ii., p. 278.

³ *Charlemont's Correspondence*, ii., p. 246.

assistance. . . . Without the hope, which I am vain enough to entertain of that assistance, I should decline engaging in so hopeless a task as the government of Ireland. It is that assistance which I am, therefore, now soliciting." He concludes with a hope that Grattan will "form with the Castle that sort of intimate, direct and avowed connection as will render support doubly efficacious." In the postscript to this unjustifiable letter he warns Grattan not to quote him as an authority for the announcement of his promotion, "my name not having yet been mentioned to the King on account of his absence at Weymouth".¹

We may be certain that the man who announced his coming to Ireland as Viceroy to a perfect stranger before his appointment was settled, did not withhold the information from his connections, the Ponsonbys.² The news was known in Ireland as early as the 15th of July, 1794, and was mentioned in the papers.³ The Ponsonbys began to brag of the great changes that were to be made by their friends,⁴ and that Lord Fitzwilliam was to come with full powers to inaugurate a new system. Neither Lord Fitzwilliam nor his connections, the Ponsonbys, observed the least delicacy or reserve, but talked openly of the coming changes and removals before any arrangement had been concluded respecting Lord Westmoreland.

About the middle of September, reports reached the ears of Pitt and Lord Grenville of the proceedings of Lord Fitzwilliam. On the 15th of this month, Lord Grenville wrote to his brother Thomas, to whom Fitzwilliam had offered the Irish Secretaryship, "the intended successor

¹ See the letter in *Grattan's Life*, iv., p. 173.

² Lord Fitzwilliam's wife was first cousin to William and George Ponsonby.

³ *Beresford Correspondence*, ii., p. 35.

⁴ The Ponsonbys were not only connected with Fitzwilliam, but they were relatives of the Duke of Portland (*Irish Debates*, xv., p. 189).

to Lord W[estmoreland] is talked of more openly than I think useful, at a time when there is yet no arrangement made for his quitting his station. But what is worse than that, ideas are going about, and are much encouraged in Dublin, of *new systems* there and of changes of men and measures.”¹ A little later Grenville again wrote to his brother that he and Pitt had heard “that the party who had acted in Opposition in Ireland, and particularly Ponsonby and Grattan, had held the strongest language respecting assurances received by them from the Duke of P[ortland] and Lord F[itzwiliam]; that the latter was immediately to be declared Lord-Lieutenant; that Mr. Pitt had given Ireland over entirely to them, and that a new system of men and measures was to be adopted. In these reports particular persons were mentioned as being to be dismissed, and amongst them the Chancellor. The only impression which these produced on my mind was, that Lord F[itzwiliam] had talked too soon of his intended appointment. . . . And in this impression I wrote to you, thinking all the rest to proceed only from the usual exaggeration of reports of this nature, particularly in Ireland; and feeling confident that before any measure was really determined upon, we should have an opportunity of discussing it fully, and of weighing the proposed advantages of it against the very great objections which naturally and at first sight occur. Soon after this we heard that Lord F[itzwiliam] had actually taken such steps in Ireland as marked his persuasion of his being immediately to be appointed.”² While Pitt and Grenville were considering what step it might be best to take on this information, the Duke of Portland wrote to Pitt, urging the immediate appointment of Lord Fitzwiliam “as a thing

¹ *Court and Cabinet of Geo. III.*, p. 301.

² *Ib.*, ii., p. 312.

already determined upon, and without taking any notice of the necessity of the previous arrangement for Lord W[estmoreland]”.¹ This demand led to further communications on the subject, and it was only then that Pitt and Grenville, as the latter assures us, found themselves “apprised of all the difficulties of the subject, and of the extent of the misunderstanding which prevailed respecting it.”²

When Pitt discovered that Fitzwilliam had consulted with many people from Ireland as if he were virtually Lord-Lieutenant, and had announced his policy without any previous concert with himself or his Cabinet, he was greatly embarrassed. On the one hand, irreparable mischief might be done by the dissolution of the present Government; on the other, to sacrifice the men who had supported Lord Buckingham on the great question of the Regency, would be dishonourable and degrading. Pitt never hesitated. “The system,” wrote Pitt’s friend and closest colleague, Grenville, “of introducing English party into Ireland, the principle of connecting changes of Government here with the removal of persons high in office there, and particularly the marking that system in the instance of a person of Fitzgibbon’s situation, weight and character, are all so utterly irreconcilable with every view that I have of the state of that country, that I should really be inexcusable if I could make myself a party to such a measure, and in this opinion Pitt entirely concurs. On every principle, therefore, of duty and character, we are obliged to say that we cannot consent to this step, and we can only regret that, if it was originally intended, so capital a feature in the new arrangement was not brought forward earlier.”³

Grattan was at this time in London. Pitt invited him

¹ *Court and Cabinet of Geo. III.*, ii., p. 312.

² *Ib.*

³ Grenville to his brother Thomas, *Ib.*, p. 315.

to an interview, which took place on the 15th of October. We have but one account of this interview, and that is untrue. Up to this time, no reference whatever had been made to the Roman Catholic question; only vague intimations of a system of new men and measures. Yet the younger Grattan drags it in, and tells us that Pitt said respecting it "not to bring it forward as a Government measure, but if Government were pressed, to yield it". "This," he adds, "unquestionably was a concession of the Catholic question."¹ But Grattan himself knew nothing of this concession, for, twelve days later, he wrote to his friend McCan, "Had I anything to write, I should have written. At present, all I can say is that nothing is determined at present. Mr. Pitt don't agree to those extensive powers which we were taught to believe the Duke of Portland had. However, I should not be surprised if it were settled well at last, and that Lord Fitzwilliam went over: nor yet would the contrary surprise me."²

Pitt was fully determined to risk the resignation of his new colleagues rather than act unjustly to his old supporters. On the day following his interview with Grattan, he wrote to Windham, the most respectable of the new accessions, "the more I consider every part of this unfortunate subject, the more I am confirmed on the impossibility, either of consenting to the Chancellor's removal, or of leaving either him or any of the supporters of Government exposed to the risk of the new system. . . . Besides the impossibility of sacrificing any supporters of Government, or exposing them to the risk of a new system, I ought to add, that the very idea of a *new system* [as far as I understand what is meant by that term], and especially one formed without previous communication or concert with the rest of the

¹ *Grattan's Life*, iv., p. 177.

² *Ib.*, p. 178.

King's servants here, or with the friends of Government in Ireland, is in itself, what I feel it utterly impossible to accede to; and it appears to me to be directly contrary to the general principles on which our Union was formed and has hitherto subsisted."¹ At this time, Pitt wrote out one of those memorandums which he was in the habit of drawing up to fix his mind, or to be used if a discussion should arise. In this, he expresses his opinion that much the best event of the present discussions would be some arrangement which avoided Fitzwilliam's going to Ireland, but, if satisfaction were given on other points, it was now too late to negative it. Before he went, four things were indispensable: (1) a full disclaimer and relinquishment of a new system of measures or of new principles of Government in Ireland; (2) complete security that Lord Fitzgibbon and all the supporters of Government should not be displaced while they continue to act fairly in support of such a system as shall be approved here; (3) such a situation to be previously found for Lord Westmoreland as would show that he quitted Ireland with his own free consent; (4) an adequate provision for Douglas, then Chief Secretary, Ireland.²

On the other hand, the Duke of Portland and Lord Fitzwilliam had so far committed themselves to a complete change of policy in Ireland, that they believed they could not remain in Pitt's ministry unless allowed to carry it out. Happily, both parties were sincerely anxious to prevent the fatal consequence which might arise from a dissolution of the recent Union. Some explanations and interviews took place, from which it appeared that Fitzwilliam had in fact intended to remove Fitzgibbon and introduce a change of system in Ireland. After much discussion on the subject of Fitzgibbon's removal, that idea was renounced, "and the

¹ Stanhope's *Life of Pitt*, ii., p. 289.

² *Ib.*, 290.

most explicit assurances were given by Lord Fitzwilliam that he had not in view the establishment of any new system in Ireland, but that he was desirous of strengthening his Government by the accession of Mr. Ponsonby¹ and his friends and the support of Mr. Grattan". A mode of satisfying Lord Westmoreland being found at this time, and Fitzwilliam having renounced his idea of a new system, it was agreed that a meeting should be held at Pitt's house at which the remaining points respecting Ireland should be discussed, so that no further delay might arise to the appointment of Fitzwilliam. The Duke of Portland, Lord Spencer, Mr. Windham, Lord Fitzwilliam, Lord Grenville, and Pitt attended the meeting. The points which were discussed, and the conclusions adopted were as follows:—

1. The appointment of a Provost.

2. William Ponsonby was proposed by Fitzwilliam for the office of Secretary of State. Several objections were made to such an appointment. In answer to these objections, Fitzwilliam "strongly urged the necessity of his bringing forward William Ponsonby, for whom² [he said], there was no other opening". It was suggested to Fitzwilliam that Ponsonby might be made Keeper of the Signet, and the office of Secretary of State annexed to that of Chief Secretary. After much discussion this arrangement was agreed to by Fitzwilliam.

3. Lord Fitzwilliam proposed that George Ponsonby should be appointed Attorney - General. To this the strongest objections were made, *viz.*, the situation and merits of Wolfe, the claims of Toler, and the impropriety of advancing Ponsonby at once to such an office. An opinion was expressed that Wolfe might be appointed to

¹ Mr. Ponsonby was William, George being the younger.

² In the original, to be mentioned a little farther on, the word is not "whom," but "which".

the first vacancy in one of the law courts; but no idea was intimated by Fitzwilliam of removing Wolfe against his inclination.

4. On the supposition that Wolfe was thus provided for, Fitzwilliam again proposed that George Ponsonby should be made Attorney-General, and urged that gentleman's unwillingness to serve under Toler. But the impropriety of making him at once Attorney-General was still objected. At last it was settled that Fitzwilliam should, in the first instance, endeavour to make a satisfactory arrangement for Toler, in order that Ponsonby might be appointed Solicitor-General under Wolfe; but it was at the same time distinctly agreed to by Fitzwilliam that Toler was not to be removed unless such a place was found for him as there was just reason to believe he would have accepted, if Lord Westmoreland had continued to be Lord-Lieutenant. At the meeting no mention was made of Curran.

Before the meeting took place, Fitzwilliam had suggested that some of the additional offices created by Lord Buckingham, particularly in the Revenue Boards, might be abolished. But he was informed by Pitt and Lord Grenville that they considered themselves parties to Buckingham's measures, and that they could not agree to any proposal which appeared to reflect on him. Lord Fitzwilliam introduced this question again at the meeting by stating that he thought such an arrangement might be made by the appointment of a Commission of Accounts as might diminish the number of the Revenue Commissioners without injuring any of the persons who sat at the Boards. However, it soon appeared that none of those present were sufficiently acquainted with the details of the subject, and it was agreed that after Lord Fitzwilliam's "explicit disavowal of all intention to introduce

a new system or to countenance imputations on the former Government of Ireland, his colleagues would willingly leave it to him to consider the subject on such information as he might receive respecting it in Ireland, desiring only that, before any such measure was adopted, they might have the opportunity of deliberating upon it."

Nothing was said about the removal of Mr. Beresford, nor was his name mentioned by Fitzwilliam; though the different means of lessening the numbers of the Commissioners of Revenue formed part of his statement on this subject.

The conversation then turned to the course to be pursued respecting public measures; and it was "understood that on all important subjects, Lord Fitzwilliam should transmit all the information he could collect, with his opinion, to the King's servants here, and that he should do nothing to commit the King's Government in such cases without fresh instructions from hence. It is also distinctly recollected by some of the persons present, that the Catholic question was particularly mentioned, though not discussed at much length; that no decided sentiment was expressed by any one as to the line which it might be right ultimately to adopt; but that the same general principles before stated were considered as applying to this as well as to the other questions of importance, and that a strong opinion was stated that Lord Fitzwilliam should if possible prevent the agitation of the question at all during the present session."

At the close of the meeting, Fitzwilliam, who had brought with him a memorandum of matters to be considered, was repeatedly asked whether there were any other points to be discussed. The answer was, that he knew of none.¹

¹ Among the Pelham papers in the British Museum, *Papers relating to Ireland, 1770-1796; Additional MSS.*, 33, 118, fol. 268, there is a full

Lord Fitzwilliam was not sworn in before the King until the 10th of December, 1794.

No sooner was Fitzwilliam definitely appointed than Grattan posted to Ireland intent on schemes of his own—schemes which were to ruin his friend and patron Fitzwilliam, but which were kept secret from him. He arrived in Dublin about the 15th of December, and immediately collected the members of the Roman Catholic sub-committee, and urged them to press their claims, promising at the same time, that if they came forward now, they should have the support of Government.¹ A meeting of the Roman Catholics of Dublin was held on the 23rd of December, and there it was resolved to petition Parliament for “a total repeal of the penal and restrictive laws” still affecting them. A committee was appointed which published addresses to the Roman Catholics in the counties and great cities throughout the kingdom, and recommended them to prepare and transmit similar petitions.² A form of petition must also have been universally distributed, for all the petitions which arrived from the north, south, west and east, were in exactly the same terms.³ Such was the speed with which these petitions were signed and collected, that they were ready for Fitzwilliam on his arrival, and were laid before him as the voice of the Roman Catholics of Ireland.⁴

statement of the proceedings at the final meeting of the Ministers, when Fitzwilliam's instructions were explained to him. From internal evidence it must have been drawn up by the persons, excluding Fitzwilliam, who had attended the meeting, or by one of them authorised to speak for the others. It is dated March, 1795. From this indisputable authority the account given in the text is taken.

¹ *Irish Debates*, xv., p. 265 ; Lord Clare's Speech, 10th February, 1800 ; Duigenan's Answer to Grattan's Address, 1798. Debate on the Roman Catholic petition, in 1805, p. 323. This debate was published separately.

² Plowden, ii., p. 469, where the proceedings at the meeting are given.

³ See these petitions, *Irish Debates*, xv., pp. 25-70.

⁴ Fitzwilliam himself states, “by the time of my arrival, the petitions, which have been since laid before the House of Commons, were in complete readiness” (First Letter to Lord Carlisle).

Fitzwilliam arrived in Dublin on Sunday the 4th of January, 1795. The next day he spent in bed. On Wednesday the 7th, he summarily dismissed by a letter from his secretary, Mr. Beresford, Chief Commissioner of the Revenue, who was not under the Lord-Lieutenant at all, but was in the Treasury under Pitt. Beresford was a man of the highest character, who had served without reproach for twenty-five years, and he was now dismissed because "he was considered the King of Ireland".¹ On the same day, that is the 7th, he dismissed the Attorney- and Solicitor-General, but fortunately for them their dismissals required confirmation in England. His intention was to appoint his own connection George Ponsonby, Attorney-General, and to make Curran, whom Ponsonby desired to place in that situation, Solicitor-General.² Other dismissals followed immediately—Sackville Hamilton, Under-Secretary of State, after a service of nearly fifty years, and Cooke, Secretary of War. These two were dismissed, as Fitzwilliam tells us, because they had ceased to be clerks and had become Ministers. When Pitt heard of Beresford's dismissal, he at once declared that it was "an open breach of a most solemn promise".³ It is to be observed that these dismissals violated the late Act⁴ which provided that the pensions granted in any one year should not exceed £1,200. Yet in the face of this Act, Fitzwilliam proposed to grant £2,000 a year to Beresford; £1,200 a year to Cooke; and compensation to Sackville Hamilton for his

¹ *Beresford Correspondence*, ii., p. 51. See the strong remarks of Lord Loughborough regarding this dismissal, and the way in which it was effected, in a letter to Grattan, dated 28th February, 1795 (*Grattan's Life*, iv., p. 198).

² This extraordinary double patronage is avowed by Fitzwilliam in his first letter.

³ *Beresford Correspondence*, ii., p. 54.

⁴ 33 Geo. III., c. 34, ss. 8, 9.

loss of £1,200 a year. The cruelty of these arbitrary removals was not their only characteristic; they were carried out with an unfeeling arrogance unknown to British Ministers or Officials.

On the 8th of January, that is, three days after he rose from his bed, Fitzwilliam wrote to Portland that he "trembled about the Catholics, that he had great fears about keeping them quiet to the end of the session, that he found that the question was already in agitation, that a committee was appointed to bring forward a petition to Parliament praying for a repeal of all remaining restrictions," and that he had conversations on the subject "with some of the principal persons of the country," and that one of these had forcibly inculcated that the *principle of concession* was not only wise, but necessary to the public tranquillity.¹

From what source could Lord Fitzwilliam have derived the information which induced him four days after his arrival in the country to write to the Home Secretary that he trembled about the Roman Catholics and had great fears about keeping them quiet even for the short space of a session, and that they would disturb the tranquillity of the country, that is, rebel, unless they obtained their desire? Assuredly not from the Roman Catholics themselves. Their numerous petitions had by this time arrived. They all contained the same humble prayer to Parliament, "that the House, taking the situation of the petitioners into consideration, their loyalty to their sovereign, their respect to the legislature, and dutiful and obedient submission to the laws, may be pleased to restore them to a full enjoyment of the blessings of our most excellent constitution, by a repeal of all the penal and restrictive laws now affecting the

¹ Second letter.

Catholics of Ireland." A few days after he had sent his alarming letter of the 8th, Fitzwilliam received from the Roman Catholics of Dublin an address overflowing with assurances of their loyalty. In this, they declared their hope to manifest that their gratitude was commensurate with the benefits they had lately received; the address then proceeded, "We entreat your Excellency to receive our sincere professions of loyalty to our Sovereign, to whose paternal recommendation we feel so much indebted, and of inviolable attachment to the principles of our most excellent constitution, into whose bosom it is our utmost ambition to be admitted." In his reply to this address, Fitzwilliam declared, that from their loyalty to the King, their attachment to his person and Government, and from their submission and peaceable conduct under their restrictions, "there was every reason at this day to rely on them for fidelity and cordial allégiance".¹ It must have been from some private and secret source that Fitzwilliam received this disquieting information.

If we consider the position in which Fitzwilliam stood, and his surroundings, we can without difficulty discover this secret source. The new Viceroy had no knowledge or experience of Ireland. On the day he wrote his despatch of the 8th of January, four days had not elapsed since he came to the country. For acquaintance with its conditions and parties, he was wholly dependent on the men he had summoned to his Cabinet, *viz.*, Grattan as prime minister, the two Ponsonbys and Curran; and the despatch must be taken as representing the advice given him by these ministers. On Grattan his reliance was perfect, and he had even gone so far as to tell him that his own acceptance of the Lieutenancy of Ireland was the result of Grattan's

¹ The Address and Reply are to be found in Seward's *Collectanea Hibernica*, iii., pp. 122-125.

decision.¹ The Ponsonbys were Fitzwilliam's kinsmen, and Curran was their creature. The despatches of a Viceroy are always drawn up with the advice and concert of his immediate Ministers. When Grattan read the statements in the despatch of the 8th, namely, that the Roman Catholic question was already in agitation, that a committee had been formed to petition Parliament, etc. etc. ; did he inform Fitzwilliam that the agitation was all a sham contrived by himself, that not a single petition was spontaneous, and that without his own intrigues and promises the Roman Catholics would have remained quiet ?² It is evident from Fitzwilliam's increasing alarm that neither Grattan nor the Ponsonbys told him one word of these things. If he was kept in ignorance of Grattan's proceedings before his own arrival, the unfortunate Viceroy was betrayed by the friend whom he trusted above all others, and by his kinsmen. Weak and faithless as Fitzwilliam was, it is impossible not to pity him. He really believed that, as he afterwards said, he had called to his councils persons in whom the public had confidence. In this he was greatly mistaken. Grattan had lost all influence with the Parliament and was thoroughly distrusted. The Ponsonbys had been the devoted tools of every administration, until they were turned out of office for their conduct at the time of the Regency question. Curran was justly regarded by all as a firebrand.³ These men also led Fitzwilliam to believe that the Protestants universally approved of complete emancipation, a belief

¹ Grattan's *Life*, iv., p. 179.

² Transparent candour, says Mr. Lecky, was one of Grattan's most beautiful qualities, vii., p. 430.

³ If Madden, the younger Tone, and Dr. MacNeven can be trusted, Curran was intimately connected with the United Irishmen, and acquainted with all their designs and proceedings. See MacNeven's statement, Madden's *United Irishmen*, iii., p. 241 ; Tone's *Life*, ii., p. 533 ; and the account of Curran's dining with Keogh and Robert Emmet (Madden, iii., p. 530).

which was dispelled only two months after he had left the country, when Grattan's bill was rejected by 155 to 84.

A week after his despatch of the 8th of January, Fitzwilliam sent another, the conclusion of which may be given in his own words and italics: "I concluded by declaring, that I should not do my duty, if I did not distinctly state it as my opinion that not to grant cheerfully on the part of Government, ALL the Catholics wished for, would not only be exceedingly impolitic, but perhaps dangerous; that in doing this *no time was to be lost*; that the business would be *presently* at hand, and that the first step I took would be of infinite importance: that if *I received no very peremptory* instructions to the contrary, I should *acquiesce*, I meant—as well *in the time* as in the mode of proceeding and the *extent of the demands*; for, as a *measure* considered generally, I would conceive no necessity of waiting for any new instructions on which to decide; of this I reminded the S[ecretar]y of State, convinced I said as we all were of the necessity as well as fitness of the measure taking place at no distant period."¹ It is evident from his own statement, that Fitzwilliam did not explain to the Secretary of State what he himself meant by the word *acquiesce*; whether it referred to the time of granting emancipation, or the mode of doing so, or, what is most important, the extent of the concessions. The rule he laid down for himself, *viz.*, to consider the Secretary's silence as consent, may be a good rule among friends, but is totally inadmissible when great political changes are proposed. Lord Fitzwilliam was pressing a measure, which would have altered the whole constitution of Ireland; endangered the Protestant Establishment and the Acts of Settlement; thrown the whole power into the hands of the Roman

¹ Fitzwilliam's Second Letter to Lord Carlisle.

Catholics; and created that monstrous and unworkable anomaly, a Protestant executive and a Roman Catholic Parliament, at a time when he was describing the country as disaffected and discontented; yet at the same time he was using the vaguest language, and informing the Secretary of State that he would proceed unless checked by very peremptory instructions. Subsequently to the two despatches of the 8th and 15th, he used still more alarming language. He told the Secretary that even deferring the question would "raise a flame in the country that nothing short of arms could be able to keep down," and that if the English Ministers did not grant the concessions, they must face "I had almost said, the *certainty* of driving this kingdom into a rebellion, and open another breach for ruin and destruction to break in upon us".¹

It never occurred to Lord Fitzwilliam or his advisers that, even if he had gone over with full powers to grant emancipation, these alarming communications compelled the King's ministers to hold their hands and review the situation. They were told by the Viceroy that the Roman Catholics were determined to obtain all their demands, and that the only alternative was emancipation or rebellion. With these statements before them, it was the imperative duty of the British Ministers, before moving another step, to take into their consideration the statements made to them, and to exercise their judgment on them. Many all important questions required answers before they could consent to Fitzwilliam's proposals, such as: Is it a fact that the Roman Catholics have determined to rebel if they do not obtain all they desire, though they have not yet tried the effect of petitions to the Crown or to the legislature? Should we not cease to be a Government at all, if we

¹ Second Letter, pp. 17 and 24.

yielded to intimidation? If the Roman Catholics threaten now when seeking power, what will they not do when they have attained it? Can we, while the kingdoms are separate, repeal, at the request of an Irish party, British statutes, which were passed to defend Protestantism in both countries? What security can be given for the Church Establishment, the present land settlement, and the safety of the Protestants exposed without defence to the attacks of their enemies? Are we prepared at this moment, when the empire is threatened by victorious enemies, to hazard a complete change in the Irish Constitution and the certain establishment of a Roman Catholic Parliament? How could such a Parliament work with a Protestant executive? These questions and innumerable others demanded full and satisfactory answers before the British Ministers could take one step in advance.

The Irish Parliament met on the 22nd January, 1795. Grattan moved the Address. He declaimed against the French as the enemies of every Government, and wrought himself up to such a pitch of absurdity as to declare that the objects at stake in the war were "the creature and the Creator, man and the Godhead".¹ Duquerry, an associate of Grattan when in Opposition, moved an amendment in favour of a peace with France at the earliest opportunity. George Ponsonby, who now, after an interval of six years, sat with Grattan on the Treasury Bench, opposed the motion on the grounds that the war was just, and that it would be shameful to desert England when her existence was at stake. Grattan, when he uttered his profane rant, little thought that, before the next year was out, he would denounce the war which he now regarded as a crusade, and put this question to the House: "Can you conceive any

¹ *Irish Debates*, xv., p. 5.

situation more blasted than that of a cabal, whom the people of England and Ireland persist to tolerate as the Ministry, assuring their country that the enemy was exhausted, being on the eve of efforts on the part of that enemy exceeding anything before attempted by herself, or, in the same time, by any other nation—efforts which, probably, would not have been called forth but for their fatal perseverance in a desperate war, a perseverance the result of their falsehood, and a despair the result of their incapacity? I say, can you conceive anything more blasted than the situation of men making such assurances, etc., etc.?"¹ Nor did George Ponsonby foresee that he would, within an equally short period, argue in the same House that the salvation of Ireland depended on a peace with France.²

On the 12th of February, Grattan moved for leave to bring in a bill for the relief of the Roman Catholics. Leave was granted, three only opposing the motion, it not being usual to oppose the introduction of a bill. But, as Lord Fitzwilliam's administration was now so near its end, we may turn to the proceedings in England.

There can scarcely be a doubt that the Duke of Portland withheld Fitzwilliam's despatches to himself from his colleagues in the Cabinet. From the time he had given up his desire of supplanting Dundas in the conduct of the war, he had taken it into his head that the sole management of Ireland had been entrusted to him. It is certain that both he and Lord Fitzwilliam had acted on this idea, and that

¹ *Irish Debates*, xvii., p. 8. A member thus expressed his astonishment at the sudden change of Grattan. "I confess, sir, I was never more surprised in my life than at hearing the right hon. gentleman declaim this night so warmly as he has done against the war with France, when, in the very last session, he told us that that nation was making war at once against God and man, the Creator and the creature" (*Ib.*, p. 20).

² *Ib.*, pp. 177, 201.

they had published their determination to introduce a new system, involving changes of policy and persons, into Ireland without any previous concert with Pitt or the rest of the Cabinet.¹ The duke was a relation of the Ponsonbys, and naturally desired the adoption of his own policy and the advancement of his friends. On the 15th of January, Fitzwilliam had written to the duke that, if he received no peremptory instructions to the contrary, he would acquiesce in the demands of the Roman Catholics. This letter the duke ought certainly to have shown without delay to Pitt and the Cabinet. To this letter Fitzwilliam received no reply, though the duke wrote twice to him on other matters. About this time the duke took a step which almost proves that he was acting separately from his colleagues, and still hoping to have his own way. There was to be a meeting of the Cabinet on the 7th of February, and on the 5th he approached the King in order to discover his sentiments on an "extraordinary but serious proposal" he himself intended to lay before the Cabinet on the 7th.² The duke told the King that letters had been received from the Lord-Lieutenant of Ireland proposing a total change in the administration of that country. The King was astonished to hear that Fitzwilliam, after a stay of three weeks in Ireland, had consented to a fresh resolution a short time after great indulgences had been extended to the Roman Catholics. The King did not argue with the duke, but sat down and wrote a memorandum, in which he told Pitt that he could not suddenly consent to the abandonment of principles which had been so long considered as wise, and on which

¹ Lord Grenville to his brother, Thomas, *Court and Cabinet of George III.*, ii., p. 312.

² Letter of the King to Pitt, 6th of February, Stanhope's *Life of Pitt*, ii., Append., p. 22. This extraordinary proposal must have been the adoption of Fitzwilliam's policy.

the country had acted. "I cannot conclude," wrote the King, "without expressing that the subject is beyond the decision of any Cabinet of Ministers—that, could they form an opinion in favour of such a measure, it would be highly dangerous, without previous concert with the leading men of every order in the State, to send any encouragement to the Lord-Lieutenant on this subject, and if received with the same suspicion I do, I am certain it would be safer even to change the new administration in Ireland, if its continuance depends on the success of this proposal, than to prolong its existence on grounds that must sooner or later ruin one, if not both, kingdoms".¹

Wiser words were never written. There were infinite difficulties to be overcome before a British Cabinet could advise the sovereign to consent to an Irish Act admitting Roman Catholics to sit in Parliament while the kingdoms were separate. One only shall be mentioned here. An English statute² enacted that no peer of Ireland, nor any member of the Irish Commons, should be capable of sitting or voting during a debate in either House until he had first taken and subscribed the oaths of allegiance and abjuration, and also a declaration against transubstantiation and the invocation and adoration of the Virgin Mary. These provisions excluded Roman Catholics from both Houses of the Irish Parliament. It is manifest that, as long as this Act remained on the Statute Book, no English sovereign would or could give his assent to an Irish Act repealing a statute of the Imperial Parliament. Until the Parliament of Great Britain repealed its statute, no Roman Catholic could be admitted into the Irish Houses.

¹ The King wrote this "rough paper," as he calls it, on the information received from the duke. It is to be found in the Appendix to Stanhope's second volume, p. 23.

² 3 Will. and Mary, c. 2, s. 5, Eng. See also Anne, st. 2, c. 17, ss. 9, 10, 11, English.

The meeting of the Cabinet took place on the 7th of February, and on the 8th, the Duke of Portland wrote to Fitzwilliam, cautioning him against committing himself on the Roman Catholic question by engagements or even by encouraging language, and reminding him of the necessity of enabling the King's Ministers to form a judgment as to the policy and safety of the measure. In this letter, the duke told Fitzwilliam that the deferring of the measure was not only to be desired for the present, but would be "the means of doing a greater service to the British Empire than it had been capable of receiving since the revolution, or at least since the Union".¹ On the 9th, Pitt wrote to Fitzwilliam, and told him that by dismissing Beresford he had broken his engagement with himself, and that he had acted inconsistently with that principle by which alone the full advantage of the union of parties which had taken place in England could be extended to Ireland.² The end of the matter was that a Cabinet Council was held on the 19th of February, and it was unanimously determined to recall Fitzwilliam "as a measure for the preservation of the empire".³ Portland, Lord Spencer and Windham concurred in this resolution—a sure proof that, in their opinion, Fitzwilliam was rightly recalled.

The final despatch of Pitt was in a private letter. On receiving it, Fitzwilliam summoned the Chancellor, and informed him of his resolution to resign and return to England in a few days.⁴ This was on the 25th of February, but he lingered on until the 25th of March. Two days

¹ This was one of the two sentences from Fitzwilliam's letter to Lord Carlisle, which were quoted at a meeting of Roman Catholics of Dublin on the 9th April in this year, as showing that the idea of a legislative union was working in the mind of Pitt.

² Fitzwilliam's second letter, p. 23.

³ *Court and Cabinet of Geo. III.*, ii., p. 333.

⁴ *Beresford Correspondence*, ii., p. 73; Stanhope's *Pitt*, ii., p. 307.

before he actually left, he sent a notice to the *Gazette*, that he intended to hold a levée on the 25th, and immediately after it to embark. This notice, which the officer of the household entrusted with it had communicated to several persons, created great alarm, and he returned to the Viceroy to beg he would not send it. The Bishop of Ossory, who had been private secretary to Fitzwilliam, happened to be present, and he also concurred in thinking it imprudent; but Grattan and the Duke of Leinster spoke to Fitzwilliam apart, and the officer then received positive orders to take the message, which, however, he requested to have in writing. The Chancellor pressed Fitzwilliam to leave privately, and told him he knew that a Liberty¹ mob was prepared to accompany him, but the only answer he got was, "all that is very disagreeable, but how can I help it?" Lord Dillon remonstrated with the Bishop of Ossory on the impropriety of Fitzwilliam subjecting the city to the chance of a riot; the bishop agreed with him, and told him that "upon deliberation his Excellency's friends were of opinion, if it took place, it could not be laid at his door". Fitzwilliam even refused the Chancellor's request that he would send a message to Parliament desiring an adjournment, until the Chancellor declared that, if he did not send the message,² he would refuse to accept the Government as one of the Lords Justices. Later in the day, the Chief Secretary,³ who appears to have been a man of sense, interfered, and a message was sent to the printer of the *Gazette* to stop the notice, but it was then too late.⁴

Fitzwilliam had spent the interval between his recall and his departure in composing his two letters to Lord

¹ The Liberty was to Dublin what St. Antoine was to Paris.

² The message was sent, and the Commons adjourned to the 13th of April (*Irish Debates*, xv., p. 154).

³ Lord Milton, afterwards Earl of Dorchester.

⁴ Marcus Beresford to his father, *Beresford Correspondence*, ii., p. 84.

Carlisle. These letters contained many untrue charges against the Cabinet and particularly against Pitt, and scandalous accusations against a high officer of unblemished reputation, for which there was no ground, and for which the writer afterwards apologised. They disclosed to the public important passages from private and confidential despatches; and told the Roman Catholics, whom a few days before he had described as on the brink of rebellion, that they were irresistible, and that they must succeed in obtaining a measure which had been unanimously condemned by the Cabinet of the empire. Finally, to crown all, he himself, whilst actually Lord-Lieutenant, distributed many copies of these letters.¹

From his friend, whom he had asked to disperse his letters, Fitzwilliam received no sympathy. Lord Carlisle refused to be the channel of censure on the King's Ministers or on private individuals; told him that it was generally believed that at Fitzwilliam's final interview with those Ministers it was settled "that no material measures either as to persons or things was to be decided upon without further communication and concurrence with the Cabinet;" assured him that Beresford and the others he had dismissed had served the Government with fidelity, honesty and ability; rallied him on the absurdity of his statement that the Beresfords were too powerful for a Lord Lieutenant; justified Pitt in supporting those public servants on whose conduct no blame had attached; and censured him for appealing to the public when no attack had been made on himself. Finally, to mark his dissent from every thing done or said by Fitzwilliam, Lord Carlisle enclosed a copy of this letter to Mr. Beresford on the same day he sent it to Fitzwilliam.²

¹ *Beresford Correspondence*, ii., pp. 88, 89.

² Lord Carlisle to Mr. Beresford, *Beresford Correspondence*, ii., p. 93.

Fitzwilliam's letters were well suited to disturb the peace of a city noted in the past for serious riots, but in this respect they were far surpassed by a production of his friend and premier, Grattan. At the end of February, the Roman Catholics of Dublin presented Grattan with a complimentary address, to which he immediately published an answer, which was perhaps the most seditious document that had appeared in Ireland since the revolution. A short time before, Grattan had declared that the war with France was a war with the enemy of mankind, yet now, while the empire was still engaged in the war, he issued a mad incitement to insurrection. Some paragraphs of this production will enable us to judge of its dangerous tendencies.

"Your emancipation will pass ; rely on it, your emancipation must pass ; it may be death to one Viceroy, it will be the peace-offering of another ; and the laurel may be torn from the dead brow of one governor to be craftily converted into the olive for his successor.

"Let me advise you by no means to postpone the consideration of your fortunes till after the war ; rather let Britain receive the benefit of your zeal during the exigency which demands it, and you yourselves, while you are fighting to preserve the blessing of a Constitution, have really and *bonâ fide* those blessings.

"My wish is that you should be free now ; there is no other policy which is not low and little ; *let us at once instantly embrace, and greatly emancipate.*

"I conceive the continuance of Lord Fitzwilliam as necessary for the prosperity of this kingdom . . . if he is to retire, I condole with my country. For myself, the pangs on that occasion I should feel on rendering up my small portion of ministerial breath,¹ would be little, *were it*

¹ It must be remembered that when this answer was published Fitzwilliam was still Lord-Lieutenant.

*not for the gloomy prospects afforded by those dreadful guardians which are likely to succeed. I tremble at the return to power of your old taskmasters ; that combination which galled the country with its tyranny, insulted her by its manners, exhausted her by its rapacity, and slandered her by its malice. Should such a combination, once inflamed as it must be now by the favour of the British court, and by the reprobation of the Irish people, return to power, I have no hesitation to say that they will extinguish Ireland, or Ireland must remove them. It is not your case only, but that of the nation. I find the country already committed in the struggle ; I beg to be committed along with her and to abide the issues of her fortune."*¹

We may well ask : what was the plain English of this answer, which was addressed, not to a club or small body of educated men, but generally to the Roman Catholics of Dublin, who were at this time entirely under the influence of the United Irishmen. In October, 1791, before their fatal alliance with these traitors, the Roman Catholics of Dublin had declared that "they ought to advance their claims only when the empire was flourishing and tranquil." A few weeks before the publication of his answer, Grattan had asserted that the war with France was a war in which the creature and the Creator, man and the Godhead were at stake. Now, in the rage of disappointment he advised the Roman Catholics to press their claims in the mid-course of that war, even if their exertions should cost the life of a Viceroy. In what way must the disaffected, the fanatical, and the ignorant have understood the expressions, "dreadful guardians succeeding," "the old taskmasters returning," and their

¹ Grattan's *Life*, iv., p. 217.

“tyranny,” “insult,” “rapacity,” “slander” and “malice”? How must these classes have received the confident assurance: “They will extinguish Ireland, or Ireland must remove them?” The old taskmasters were those in power before Lord Fitzwilliam; and the dreadful guardians were those who were to succeed him; and these must be removed, or they would extinguish Ireland. The only conclusion to be drawn by these classes from this wild language was that, on the arrival of a new Viceroy, attended by the dreadful guardians and old taskmasters, “inflamed by the favour of the British Court,” they ought to rise in a mass, under the leadership of Grattan, who was committed with them, and by one supreme effort free themselves from those he had pointed out as their rapacious and malicious tyrants. With Fitzwilliam’s letters passing from hand to hand, and Grattan’s answer rousing to madness the passions of the mob, we cannot wonder that on the day the successor to Fitzwilliam (Lord Camden) arrived in Dublin, *viz.*, the 31st of March—the month in which Grattan’s answer had appeared—a very dangerous riot took place. The mob attempted to murder the Chancellor, and attacked the house of the Speaker. It then assailed the Custom House, and was only driven back by the troops, who fired and killed two men.

Two circumstances may be mentioned here—the one to illustrate the difficulties thrown in the way of the Government by that mischievous and contemptible body, the Whig Club; the other, as an example of the manner in which Irish history has been sacrificed to an ignoble hero-worship. A few days before Fitzwilliam left the country, the club published its unanimous thanks to Grattan for his manly, seasonable and constitutional answer to the Roman Catholics of Dublin, and their regret at the return to power of those who would re-establish the old system of violence and

venality.¹ Mr. Lecky, speaking of Grattan's replies to the addresses presented to him at this time, tells us "they were eminently moderate, and evidently intended to maintain the Catholics in their allegiance".²

What were the aims which Grattan had in view when he so suddenly took up the emancipation of the Roman Catholics? His former career by no means entitled him to pose as their champion. At an early stage he had spoken against allowing them landed security for their money. In 1782, when his influence was great, he had joined Yelverton and Fitzgibbon in drawing the Act adopting the English statutes which excluded them from Parliament.³ During the next eight years he did nothing for them. In 1791, he refused to present a very humble petition from them to Parliament. In 1792 the Act for their relief proceeded from the Government, as did the Act of the following year. In the session of 1794 he was silent; yet in 1795 we find him, in conjunction with the Ponsonbys and the members of the Whig Club, advocating their admission to Parliament. This new policy of the Whigs is very remarkable. From the time of the revolution down to the moment we are speaking of, the aristocracy of Ireland had manifested a great jealousy of the English or British Government. Their object always had been to

¹ *Beresford Correspondence*, ii., p. 87; Plowden, ii., p. 511. On this occasion William Ponsonby was in the chair, and Conolly signed as secretary. Wolfe Tone has left us a portrait of the latter gentleman. "Conolly, a strange rambling fool, talked for nearly an hour without the least connection about a Union, the Regency, Mr. Fox, the Whig Club, the Catholics, a pension bill, a place bill, a Union, *da capo*, etc., etc., etc." (*Life*, i., p. 181). Mr. Lecky says that Conolly "was one of the most important members of the Irish House of Commons" (vii., p. 134).

² Vol. vii., p. 100.

³ The Irish Act, 21 and 22 Geo. III., c. 48. This Act adopted all English and British laws relating to the taking of oaths, or making or subscribing declarations or affirmations.

obtain the uncontrolled management of their country, and at the same time to retain the protection of the more powerful partner without its interference. Such also was Grattan's policy. Hence their cry to stand or fall with England. A wise contemporary of the events of 1795 was inclined to believe that the present movement was an attempt of the aristocracy to gain the Roman Catholics, and by adding their strength and influence to their own, to control the Government and make the Irish Cabinet wholly independent of British councils.¹

On the 27th of February, while Fitzwilliam was still Lord-Lieutenant, the Roman Catholics of Dublin had resolved to send a deputation to London to present a petition to the King praying that Fitzwilliam might remain in Ireland. Keogh, Byrne and Hussey, with Wolfe Tone as their secretary, proceeded on this mission, but returned without effecting anything. On the 9th of the following April, a very numerous meeting of the Roman Catholics was held in Francis Street chapel to hear the report of the deputies. This meeting shows us how close and intimate was the union between the United Irishmen and the Roman Catholics of Dublin, who were, as Tone says, to the Roman Catholics of Ireland what Paris was to the Departments. John Sweetman, a United Irishman and afterwards member of the Leinster Directory, was chairman.² Richard M'Cormick, secretary of the Catholic Committee, a United Irishman, and member of the Directory, was the secretary.³ The first speaker was Keogh, a United Irishman, who six weeks later, with M'Cormick, pressed Wolfe Tone to go to France and seek aid there for the intended rebellion.⁴ The next speaker was Dr. MacNeven, a United Irishman and a member of the Directory in 1796, who in 1797 was

¹ Knox, *Political Essays*.

² Madden, iv., p. 94.

³ *Ib.*, i., p. 283.

⁴ *Ib.*, ii., p. 27.

despatched on a special mission to hasten the arrival of the French.¹ To MacNeven, Dr. Ryan succeeded, who was a member of the Roman Catholic sub-committee; this gentleman died soon after this meeting. The next speaker merely moved a vote of thanks to a body of University students who had entered and taken a part in the proceedings. After him came Lewins or Lewines, a United Irishman, who was implicated in the treason of Jackson, and was sent to France in 1797 as the accredited agent of the Leinster Directory of the United Irishmen.² The spirit of the speeches delivered by these gentlemen may easily be guessed.³ Even Edmund Burke, whose extreme partiality to the Roman Catholics blinded him to all their faults and to the danger of opening the Parliament to them before the Legislative Union, declared that their "tone was wholly Jacobinical" and "the language of the day went plainly to a separation of the two kingdoms."⁴

The effects of Lord Fitzwilliam's recall have been enormously exaggerated. If Grattan had not stirred up the Roman Catholics before his arrival—if Fitzwilliam had not published in Dublin his two angry letters—if his Prime Minister had not issued his incendiary address—the Roman Catholics of Dublin would have remained as quiet as they had been all through the year 1794. The most important effect of his recall was to restore confidence and courage to

¹ Madden, ii., p. 391.

² *Ib.*, p. 81.

³ *Orations delivered at a meeting of the Roman Catholics of Dublin, 1795.* While Keogh was speaking at this meeting, a number of University students, among whom was Tom Moore, entered the chapel. The question of a legislative union had been raised and execrated. Moore made an impassioned speech, the end of which resembled Hector's prayer in the sixth book of the *Iliad*: "One boon I ask of Heaven for myself: may death arrest me ere I see the day a union takes place; for Ireland, may the Atlantic close and bury it for ever in an immeasurable gulf". Moore, at this time, was of the ripe age of sixteen.

⁴ Letter to the Rev. Dr. Hussey, 18th April, 1795.

both Houses of Parliament, and to allay their fears that Great Britain had deserted them. Mr. Lecky indeed informs us that the "recall of Lord Fitzwilliam may be justly regarded as a fatal turning point in Irish history". Unfortunately for the value of this opinion, he had told us in a former volume, when the Volunteers Reform Bill, presented by Flood, was rejected, that "the rebellion of 1798 might be already foreseen."¹

¹ Vol. vi., p. 347.

CHAPTER XXII.

GRATTAN'S ROMAN CATHOLIC RELIEF BILL—CONNECTION OF THE DEFENDERS WITH THE UNITED IRISHMEN AND THE CATHOLIC COMMITTEE—CONSPIRACIES AND DISAFFECTION IN THE COUNTRY.

THE Irish Parliament re-assembled on the 13th of April, 1795—a fortnight after the arrival of Lord Camden. On the 21st, Grattan moved for a committee to inquire into the state of the nation. In his opening speech, he stated that he had learned “from persons in whom he could not but confide” that the instructions to Lord Fitzwilliam on the Catholic question were, that, if the Catholics insisted to “carry forward their bill, the Government should give it a handsome support”. This is a very different statement from that of his son, who tells us that Pitt used the following words to his father, “not to bring it forward as a Government measure, but if Government were pressed to yield it”. During his speech, Grattan gave an enumeration of the measures his administration had intended to introduce, but, as a United Irishman deplored, there was “not a word of reform in Parliament, of a repeal of the Convention Bill, or of a mitigation of the strong measures by which the former administration had coerced the people”.¹ It soon appeared that the object of the motion was to inquire why Fitzwilliam had been recalled. In other words, the motion questioned the power of the King to dismiss

¹ *Pieces of Irish History*, p. 97.

his servants without assigning cause; though his Viceroy had very lately exercised that power in numerous instances with the assent of Grattan. A debate ensued, in which Grattan was obliged to hear many disagreeable comments on his conduct. He was told, that for the sake of his own character he ought not to have proposed such an inquiry; that no man could be considered the friend of the Roman Catholics who printed and circulated passionate and imprudent publications and thus taught them to deserve disappointment; that it was the advisers of Fitzwilliam who had occasioned his recall; that the junta round Fitzwilliam were enemies to the country, and had endeavoured to carry their measures by deceiving both the Crown and the people; that no man could have taken a more effectual means to excite an insurrection than by circulating a paper of the most seditious and malignant tendency, which had lately been printed; that to counteract the mischievous effects of "advertisements for insurrection" which had lately appeared, nothing was left to moderate men but to rally round the throne and support the Government.¹ Grattan was greatly irritated by these criticisms. In his reply, he stated that he adhered to the answers he had given to the various addresses presented to him, and ended with a flourish, "I am here ready to meet inquiry. I am here to confront my enemies and stand by my country".

On the 4th of May, the second reading of Grattan's bill for the further relief of the Roman Catholics came on for discussion. At the time this bill was introduced, the Roman Catholics of Ireland were in a better situation than the Protestant Dissenters of England. The Test Acts had been abolished in their favour, except as to Parliament and about thirty of the highest executive offices. They had been

¹ *Irish Debates*, xv., pp. 168-188.

granted everything but political power. Grattan's bill now proposed to do away with the remaining restrictions, and to admit them to Parliament and every office in the State without taking the oaths required from Protestants. By the Irish as well as by the British Constitution, the Crown was limited to members of the established religion. The necessary consequence of this limitation was that the immediate advisers and councillors of the Crown should belong to the same religion. It would be preposterous to compel the sovereign, on the pain of forfeiture, to be a member of the Established Church, and at the same time, to allow his Chancellor, his Prime Minister, and his Cabinet to be of a religion hostile to the Established Church. It was upon this principle that the Irish Act of 1793 had been drawn, namely, to grant to the Roman Catholics every private right possessed by the Protestants, but to exclude them from the councils of the Crown. No attention whatever was given to this consideration by Grattan and the Ponsonbys, nor to the question whether the sovereign could, without the approval of the Imperial Parliament, consent to an Irish Act repealing English and British statutes which had been passed for the security of the Church both in England and Ireland. Many other considerations of great importance were put aside, or had never occurred to the advocates of the bill, such as the security of the Protestants ; the safety of the Established Church ; the immediate and complete alteration in the Constitution of the country ; whether such a change should be made in a time of war ; and whether it would weaken the connection between the two kingdoms. Two mischievous clauses in the bill suggest the belief that its promoters did not expect it to pass, but brought it forward to embarrass the Government. One clause repealed the provision in the Act of 1793 which required a moderate and reasonable qualification for the

possession of arms. The other enacted that Roman Catholic soldiers should have the free right of attending their own divine service.¹ The first would have armed the beggary of the kingdom. The second was wholly unnecessary, and must have been inserted to inflame the Roman Catholics.

One case only had ever happened at all resembling the violation of a Roman Catholic soldier's right of attending his own chapel, and that was so grossly exaggerated by Edmund Burke and the Irish agitators that it becomes necessary to relate it. It was the practice, when soldiers were quartered in towns, to parade them on Sunday and to march them to the church door. When arrived at the church, the Protestants entered, and the rest were dismissed generally with an admonition to repair to their own places of worship. On one occasion, Hyland, a trooper in a dragoon regiment, refused to attend the parade, saying that he was a Roman Catholic, and declined to march to the church door. He was told that it was a military duty to attend the parade, and that, after he had marched with the rest of the regiment to the door of the church, he had full liberty to go to his own chapel. He persisted in his disobedience and was flogged.² Even if this case had been as bad as was represented by Roman Catholic agitators,³

¹ *Irish Debates*, xv., pp. 208, 209.

² Duigenan's *Answer to Grattan*, p. 155.

³ Dr. MacNeven, at the meeting of the Roman Catholics of Dublin on the 9th of April in this year, thus mentioned the calumny: "A great proportion of the army and navy consists of Irish Catholics. Why may not England be made to feel the efficiency of their inaction? How would the sufferings of poor Hyland, and the lash of military execution, suspended over conscience, recommend the service to our peasantry?" Dr. Hussey, who knew perfectly well from his own experience that Roman Catholic soldiers were not compelled to attend Protestant churches, in a pastoral published by him in 1797 declared that several instances of this kind had lately occurred in his diocese, but, when required to prove this charge, made no reply (Duigenan's *Answer to Grattan*, p. 157).

a man of sense, who wished well to his country, would not have inserted in an Act of Parliament a memorial of Protestant bigotry, nor would he have consented to entrust arms to the dregs of the people, who were, throughout many districts in Ireland, plundering and burning the houses of Protestants, and murdering the inmates who resisted.

A patriot would have hesitated to bring forward a measure of transcendent importance at such a crisis, when the country was engaged in a war abroad, and distracted by widespread conspiracies and numerous local insurrections at home. A wise man would have seen the propriety of leaving a question which entailed far-reaching political consequences in the hands of a Government which had introduced the Relief Act of 1792, and carried the still greater Relief Act of 1793 against the will of the House of Commons.¹ The admission of the Roman Catholics to Parliament and the highest executive offices, or emancipation, as it was absurdly called, could not have been carried without a tremendous struggle, little short of a civil war, which would have convulsed the nation from end to end, and might have extended to England. If carried, it would have, at no very distant period, thrown the whole power of the State into the hands of a thoroughly disaffected community, and alienated the only loyal body in the kingdom—the members of the Established Church—who were the firm friends of the British connection. The Roman Catholics had lately shown what they could effect by their numbers and by combination. Under the guidance of their priests, and regardless of the opinions or fears of the Protestants,

¹ See the speech of the Speaker in 1793, *Irish Debates*, xiii., pp. 332-345. Yet Mr. Lecky informs us that the dominant sentiment of the Irish Protestants was a desire for the emancipation of the Roman Catholics (vii., p. 100).

they had met in their chapels throughout the country and nominated delegates to a convention which was really a Roman Catholic Parliament. Their voting power had increased enormously since 1793; for no sooner had the elective franchise been granted to them than the landlords vied with each other in giving them freeholds in order to increase their own importance. If the Parliament had been opened to them, the same influence which had taught them to unite for the purpose of nominating delegates to the convention would have persuaded them to combine in order to return representatives of their own denomination, and the power of the landlords would have yielded to that of religion. Their overwhelming numbers would have enabled them to take immediate possession of the counties, and the open cities and towns, as Dublin, Cork, Limerick, Drogheda and Newry. The close or private boroughs would then have been the last defence of the Protestants.¹ The contest for the possession of these would have been keen and bitter; and, while it lasted, Ireland would have been divided into two hostile camps, and the wealth, peace and industry of the country would have been sacrificed to the strife of parties. But the final result would not have been long delayed. With the help of the English Opposition, and of the numerous treasonable societies in England and Scotland,² the Roman Catholics would have prevailed, and a Parliament with an enormous majority of that religion would have confronted a British sovereign bound by his coronation oath to maintain a Protestant Establishment.

But these eventualities never occurred to Grattan, and

¹ It must be remembered that at this time Protestant meant a member of the Established Church. The Presbyterians were always spoken of as Dissenters or Presbyterians.

² See the reports from the committees of secrecy of both Houses of the Imperial Parliament in 1794, *Parliamentary History*, xxxi., pp. 475, 573, 688, 886.

his speech on this occasion proved that he of all men was the least fitted to handle such a momentous question. It consisted chiefly of abuse of the British Cabinet and the Irish Government. He told the former that their country had lost Holland, Brabant, a great part of Germany and the terror of the British name, and asked: would "they, after the loss of America, with an increase of debt in the last thirty years of above two hundred millions; with a new Republican empire rising upon them, dreadful from its principles, its power, its extent, and its victories," reject three millions of Irish; compared the Cabinet to the Carthaginian Senate, the members of which had borne the disgrace of their country and the loss of their armies with complacency, but when their cabal was touched or some tax proposed on themselves, trembled; "the Senate of Carthage," he repeated, "trembled; like the British Ministry, they were moved by nothing so much as by the least of their misfortunes". He accused the Irish Government of fomenting a religious war, and of attempting to divide the Roman Catholic democracy from its aristocracy, the people from its leaders and the flock from the clergy, and declared that "the Cabinet of England was the bar to the freedom of the Roman Catholics," and that the dispute was "no longer a question between the Protestant and Catholic, but between the British Minister and the Irish nation."

During the debate, it had been argued by the opponents of the measure that the admission of the Roman Catholics to Parliament and the high offices of State would endanger the Connection, the Monarchy, the Church and the Parliament. The manner in which Grattan answered these objections illustrates his constant habit of substituting dogmatic assertions for arguments; "I beg to recur to the four heads of objection, the Connection, the Monarchy, the Church and the Parliament; and I beg leave to lay it

down as absolutely and as broadly as language will permit—that these four objects are not endangered by Catholic emancipation, but on the contrary, that they cannot be saved without it;—that it is absolutely necessary in these times for the Connection, for the Monarchy, for the Church and for the Parliament, that their existence shall be rendered compatible with the privileges of the people.”

When he attempted to deal with the difficulty arising from the Coronation oath, he was entirely out of his depth. His first argument was, that as the Act¹ settling the oath preceded by three years the Act² excluding Roman Catholics from Parliament, the oath could not refer to the subsequent law. But Grattan did not know that the Union Statute³ had made additions to the Coronation oath, nor that the oath taken by George III. contained those additions. His second argument was that the king had taken the oath not in his legislative but in his executive capacity. This did not touch the difficulty, which was that the King at his coronation had contracted⁴ with the British Parliament to observe all the laws which had been passed in that Assembly for the security of the Church in England and Ireland. Until he was freed from the obligation of that contract by the Parliament, the other party to it, he could not assent to an Irish Act repealing any of the laws he had sworn to observe.

Grattan's third argument was that the King had already broken the oath by consenting to the Irish Act of 1793, by the Canada Bill, and by the Constitution granted to Corsica. The instances of Canada and Corsica were totally inapplicable to the question under discussion. Canada had

¹ 1 Will. and Mary, c. 6.

² 3 Will. and Mary, c. 2.

³ 5 Anne, c. 8.

⁴ Blackstone lays it down that the coronation oath is a fundamental and express contract.

surrendered to the British arms on the express condition that her inhabitants should enjoy their laws and religion in the same manner they had done before their surrender. The Corsicans, when offering their crown to the British King, had stipulated for the liberty of framing their own laws and preserving the Roman Catholic religion.

In his speech Grattan made an assertion which was as true as his accusations of the Cabinet and of the Irish Government. During the debate, it had been urged as proof of the disloyalty of the Roman Catholics, that their Committee had employed Wolfe Tone as their secretary though he was implicated in the treason of Jackson. Grattan met this objection by boldly declaring that Tone was not their secretary when he held communication with Jackson. Every member of the Assembly Grattan was then addressing knew that this statement was untrue. The bill was rejected by 155 to 84.¹

From this time the Opposition dwindled away to a mere shadow of a party. In 1796 it ranged from seven to nineteen. In 1797 several motions proceeding from it, as George Ponsonby's vote of censure, were negatived without a division. It rose from seven to forty-nine on the Absentee Tax question. Parliamentary reform was only supported by thirty. The Commons had taken to heart the lesson taught by the results which had followed from the Settlement of 1782 and their independence, namely, that they could not defend themselves against their internal enemies without the support of Great Britain.

In this session, the Chief Secretary introduced a bill for establishing and endowing an academy for the education of Roman Catholics exclusively.² This institution was afterwards known as the College of Maynooth. While the

¹ *Irish Debates*, xv., p. 365.

² 35 Geo. III., c. 21.

bill was passing through the House, a petition was presented by Grattan on behalf of the Roman Catholics of Ireland, strongly objecting to the foundation of an exclusive college. They urged that the appointment of professors and the admission of students should not be left to secret nomination, but should take place after a public examination, as in the University of Dublin; that the exclusion of Protestants would tend to perpetuate the line of separation between his Majesty's subjects; and that experience had shown the wisdom and utility of educating their youth with Protestants in the University of Dublin.¹ Dr. Hussey was the first president of this new seminary, and, on his removal to the Roman Catholic See of Waterford in 1797, published a most seditious pastoral letter to the clergy of the united dioceses of Waterford and Lismore.²

A few days before the end of the session, Curran, after a long and inflammatory speech, moved that an address should be presented to the King, condemning the conduct of his Cabinet, and imploring him "to lay his commands upon his Ministers to second the zeal of his Irish Parliament in his Majesty's service, by manifesting in future to the people of Ireland due regard and attention." Grattan seconded the motion. It was rejected by the adjournment of the House, which was carried without a division.³

In December of this year, and in the beginning of 1796, several trials of Defenders took place in Dublin. From the evidence given in these cases it appeared that Defenderism was very prevalent in the capital, chiefly among servants, apprentice boys and workmen. The members of the association were sworn to assist a French invasion, to

¹ For this petition, see *Irish Debates*, xv., pp. 201-3.

² This pastoral is to be found in Plowden's *Append.* cix., and in Musgrave, ii., *Append.*, p. 170.

³ *Irish Debates*, xv., pp. 389-399.

dethrone all Kings, and to obey implicitly their own superior officers and committee men. Their oath was so framed that, while it bound the party taking it to the commission of the most atrocious crimes, it appeared to be merely an oath of allegiance and of submission to the laws. It commenced with the words, "I do swear to be true to his Majesty King George the Third whilst I live under the same Government." This statement of allegiance was repeated in another part of the oath: "I will subject myself to my committee men in all lawful proceedings, and not otherwise during the reign of his Majesty King George the Third whilst I live under the same Government." Lawful proceedings meant proceedings according to their own law. At the time they took this oath, they were also sworn to a catechism or profession of their objects, which proved their treasonable designs and explained the oath.¹

While these trials were proceeding in Dublin, the state of the country was dreadful. The Roman Catholic peasantry in Ulster, Leinster and Connaught, were engaged in the conspiracy of the Defenders. On this point, the opinions of Wolfe Tone and of the Attorney-General, afterwards Lord Kilwarden, agree in a remarkable manner. Tone, writing on the 22nd of February, 1796, asserted: "The fact is, that in June last [1795] it embraced the whole peasantry of the provinces of Ulster, Leinster and Connaught—three-fourths of the nation; and I have little doubt but it has since extended into Munster—the remaining province. These men, who are called Defenders, are completely organised on a military plan, divided according to their respective districts, and officered by men chosen by themselves; the principle of their union is implicit obedience to the orders of those whom they have elected

¹ The trials of the Dublin Defenders are given in *State Trials*, **xxvi.**, pp. 226-462.

for their generals, and whose object is the emancipation of their country, the subversion of English usurpation, and the bettering the condition of the wretched peasantry of Ireland. The eyes of this whole body, which may be said almost without a figure to be the people of Ireland, are turned with the most anxious expectation to France for assistance and support".¹ Two months before these words were written, the Attorney-General, on the trial of one of the Dublin Defenders, declared, "I have seen circumstances proved in the most distant parts of the West, corresponding with circumstances arising in the distant parts of the North and East, manifesting most clearly that there was a united scheme to subvert the religion and the government of the country by exciting sedition among the lower orders of the people. How these schemes were set on foot so universally, whether by French gold or democratic clubs, is neither for you, gentlemen, nor me now to inquire. . . . Further, to forward this plan, they have levied money from the poor wretches they seduced; a man sworn pays a shilling to the person administering the oath. . . . In fact the practice became common, and they spoke of a committee man in a village as they would of a shoemaker. 'Where are you going?' 'To the Defender-maker'—And to the Defender-maker the person paid a shilling, as if he had obtained something valuable".²

Nor did this great and wide-spread conspiracy stand alone. At this time, the Defenders were merged into the United Irishmen, and there was no distinction between them.³ The Defenders were also encouraged and directed by the Roman Catholic Committee. As early as 1793, the report of the Lords' secret committee stated that the Roman Catholic Committee was in communication with the

¹ *Tone's Life*, ii., p. 188.

² *State Trials*, xxvi., p. 246.

³ *Madden*, i., p. 115.

Defenders, and in proof published a letter, the authenticity of which was never denied, dated August, 1792, and written by Sweetman, secretary of the Committee. This letter was directed to a person in Dundalk as to whether the offences, of which the Defenders there in confinement were accused, were bailable. To this charge, the sub-committee, on behalf of the General Committee of the Roman Catholics, published a defence drawn up by Wolfe Tone.¹ This defence was artful but eminently unsatisfactory, and passed over two facts which appeared from the letter (1) that the correspondence regarding the offences of the Defenders had been begun by the committee, and (2) that the correspondence referred not to a single individual as alleged by the defence, but to all the accused. Lying is so necessary to the purposes of a conspiracy that it is folly to expect the truth from its members. Three years later, the man, who had drawn up the false defence, described the exact relation which connected the Defenders with the United Irishmen and the Roman Catholic Committee:—

“I have now stated the three modes of organisation which exist in Ireland—

1. The Dissenters, with some of the most spirited and enlightened of the Catholics, under the name of United Irishmen, whose central point is Belfast, the capital of Ulster.

2. The Defenders, forming the great body of the Catholic peasantry, amounting to three millions of people, and who cover the entire face of the country.

3. The General Committee of the Catholics, representing the talent and property of that body, possessing a very great influence everywhere in Ireland, and especially deciding the movements of the capital. I hazard nothing in

¹ *Life of Tone*, i., p. 475.

asserting that these three bodies are alike animated with an ardent desire for the independence of Ireland, an abhorrence of British tyranny, and a sincere attachment to the cause of the French Republic ; and, what is of very great consequence, they have a perfect good understanding and communication with each other [that is to say, their leaders] so that, on any great emergency, there would be no possible doubt of their mutual co-operation. Many of the most active members of the General Committee, for example, are also in the clubs of the United Irishmen ; many of the officers of the Defenders, particularly those at the head of their affairs, are also either members of those clubs, or in unreserved confidence and communication with those who regulate and guide them. The central point of all this is undoubtedly Belfast, which influences, and which deserves to influence, the measures of all the others, and what I consider as extremely singular, the leaders of the Defenders in Ulster, who are all Catholics, are in more regular habits of communication, and are more determined by the Dissenters of Belfast, than by their Catholic brethren of Dublin, with whom they hold much less intercourse".¹

The miserable condition of the kingdom was the direct result of the so called glorious Settlement of 1782. For ninety years the aristocracy and gentry of Ireland had desired to obtain the government of the country, and the patronage and emoluments connected with it, free from the control of the British Government. Taking advantage of the difficulties of Great Britain at a time when they ought to have joined heart and hand in defence of their only protector, they advanced their claim to independence under the false pretence that it was a national movement. To assist them in obtaining their desire, they had raised,

¹ Tone's *Life*, ii., p. 190.

clothed, and regimented the men of the North, the majority of whom were Presbyterians strongly inclined to Republicanism and hostile to an aristocracy and the Church Establishment. The Settlement of 1782 satisfied the Episcopalians and their leaders, but it was only a step to the active portion of the Presbyterians who filled the ranks of the volunteers. These had long listened to parliamentary orators appealing to them as the "armed majesty of the people" and perorating on the indefeasible birth-rights of Irishmen, and had interpreted the inflammatory rant according to their own wishes and ideas. They were not content with a Settlement which transferred the whole power of the kingdom to a Parliament in which bishops sat, which was largely controlled by an aristocracy, and which had so long denied them their rights as citizens. They soon disclosed their aims. Disclaiming to petition a Parliament which they hated, and confident of their armed strength, they called a Parliament of their own. On the 8th of September, 1783, that is, eight months after Great Britain had renounced all legislative authority over Ireland, delegates of 272 companies of the Ulster volunteers met at Dungannon and declared for annual elections and universal suffrage.¹ From Dungannon, the delegates issued an address to the "Volunteer armies of Munster, Leinster and Connaught," calling upon them to meet in a Grand National Convention to be held in the capital. The volunteers of the other provinces answered the call, and a convention, representing the whole armed people of Ireland, assembled at the same time with a new Parliament, to discuss a

¹ "Resolved unanimously, that by the ancient constitution of Parliaments, elections of representatives were for centuries annual, and in many instances more frequent; and the exercise of suffrage among freemen universal." "Resolved unanimously, that every approach to those fundamental principles tends to a renovation of, not to an innovation in, the Constitution" (*Belfast Politics*, p. 234).

question which had never been considered by any Irish House of Commons. Fortunately, the convention broke down, but the Presbyterians, who had called it into existence, immediately resumed their agitation for a reform which was inconsistent with the existing Constitution. Feeling their inability to accomplish the revolution they desired by their own strength, they resolved to form a close alliance with the Roman Catholics, offering them the elective franchise and emancipation in return for reform. This unnatural alliance gave rise to the United Irishmen, who from the first were pledged to annual elections, every man a voter, and every man capable of being elected. These agitators laboured incessantly and indefatigably to corrupt the minds of the people, and to inspire them with new notions of Government, new models of Constitution and new conditions of obedience. No expedient which cunning could suggest escaped them. Democratic songs, creeds and plans of reform were disseminated by them among the peasantry, and made their way into their cottages. Their agents were to be found in the fairs, markets and whisky shops throughout the country, promising the abolition of tithes, and the distribution among the peasantry of the lands and wealth now monopolised by a few. From the passions excited to action by these apostles of anarchy sprang the Defenders, who very soon merged into the United Irishmen, and could not be distinguished from them.

Neither French gold nor French agents were wanting to increase the distraction and confusion which prevailed in the unhappy country. We now know that French agitators were in the kingdom in 1793 or earlier, and that demands and offers of assistance had passed between the Government of France and the disaffected Irish long before this year of 1795. In September, 1793, at a meeting in Paris

of the Committee of Public Safety,¹ it was stated that the agents employed to foment troubles in Ireland were capable and trustworthy, and, if their success did not answer the expense, it was owing to the watchfulness and energy of the Irish Government. In November of the same year the Committee and the Ministers of the day resolved to employ a large portion of the money arising from the spoils of the Church and the landed proprietors in exciting insurrections among the nations, and especially in Ireland.² Hamilton Rowan in his autobiography informs us that in 1791 or 1792 an offer was sent from the French Convention, directed "to the popular leaders in Ireland," to deposit in any bank in Europe the pay for 40,000 men for six months, on the condition that they would declare Ireland independent of England.³ Another United Irishman says, that in the summer of 1793, after the Brissotins had declared war against England, they sent a confidential agent with offers of succour, provided Ireland would declare itself separate and independent. This agent arrived in Dublin with an introduction to Lord Edward Fitzgerald, and his offer was made known to Simon Butler, Bond, Rowan, Dr. Reynolds, and others.⁴ Musgrave tells us that "in the years 1791 and 1792, Rabaud de St. Etienne, the bosom friend of Brissot, the famous leader of the Girondin party in the French National Assembly, passed some time between Dublin and Belfast, sowing the seeds of future combustion".⁵ This information is very curiously corroborated. In 1794 a pamphlet or address of Camille Desmoulins was published, which stated that Rabaud St. Etienne had been in Ireland

¹ A series of letters, or bulletins as they were called, from the secretary of the Committee of Nine or of Public Safety, reached Lord Grenville through Francis Drake, our Resident at Genoa. They are to be found in the second volume of the *Dropmore MSS.*, commencing at p. 456.

² *Ib.*, ii., p. 472.

³ *Autobiography*, p. 161.

⁴ *Pieces of Irish History*, p. 71.

⁵ Vol. i., p. 108.

preaching French principles within the two previous years.¹ On the other hand, there were invitations sent from Ireland to France before 1793. Brissot, who was guillotined in that year, had published an address to his constituents, in which he reproached his former colleagues for delaying an invasion of Ireland after the repeated and anxious invitations of the Irish Republicans.² This address was translated by William Burke and published in London either at the end of 1793 or beginning of 1794. Its preface of forty pages was written by Edmund Burke.

In truth, Ireland was in 1795 sick to death. Of her 5,000,000 of inhabitants a tenth only—namely, the Episcopalians—were loyal to the British Government and British Connection. The Presbyterians, as represented by the United Irishmen, were endeavouring to effect a revolution and establish a Republic.³ Of the Roman Catholics, a very small number of their peers and gentry were content with their present situation and feared a revolution; the middle classes were in strict alliance and co-operation with the United Irishmen; the poorer classes, driven mad by misery and religious rancour, were ripe for a war of extermination. It was blind folly on the part of Grattan to imagine that a reform would satisfy the United Irishmen, or that Emancipation would lay the revolutionary spirit which prevailed among the Roman Catholics. Nothing would have satisfied the United Irishmen but a democratic House of Commons and the abolition of the House of Lords, as MacNeven deposed on oath.⁴ “I believe,” said Thomas A. Emmet,

¹ *Charlemont Correspondence, etc.*, ii., p. 237.

² *Irish Debates*, xvii., p. 196; *Charlemont Correspondence, etc.*, ii., p. 230.

³ “Ques.—What was the object of the [united] system? Ans.—To effect a revolution and establish a Republic” (Evidence of Dr. MacNeven).

⁴ “Ques.—What was the reform originally required by United Irishmen? Ans.—A democratic House of Commons; they thought one aristocratic body in the State sufficient” (Evidence of Dr. MacNeven).

“that the mass of the people do not care a feather for Catholic emancipation, neither did they care for parliamentary reform till it was explained to them as leading to other objects which they looked to, principally the abolition of tithes. . . . The people were also taught to consider that when they became members of a democracy their condition would be bettered.”¹ This evidence, coming from leading members of the body which had been working for years to excite a rebellion and had tried every expedient to attain that object, is very valuable. If it was folly to think that these powerless palliatives were sufficient to allay the ferment in the kingdom, it was madness to urge their acceptance on the Parliament. Nothing was more inflammatory, or gave greater encouragement to agitators, than to point out evils without suggesting adequate remedies. By airing imaginary grievances, and making untrue accusations against the Government in times of danger, when the preservation of their country alone occupied the minds of all reasonable men, Grattan gave an opportunity to every factious man in the country to offer his wild speculations, and this kept alive an agitation which it was so necessary to assuage.

What Ireland wanted was a strong Government and stern laws to put an end to the murders, nightly burnings, and conspiracies to murder, which were terrorising the kingdom. The first and most inexorable duty of a Government is to protect the lives and properties of its subjects, and this duty must be fulfilled at every cost. When the laws, formed for the regulation of quiet times, are inadequate to restrain wide-spread and fully organised systems of crime, new laws and expedients commensurate with the

¹ Evidence of Thomas Addis Emmet. The evidence of MacNeven and Emmet is given in the Appendix to the Report of the Lords' Secret Committee, 1798.

mischievous must be resorted to. No law or expedient that is necessary for the protection of life and property can be too severe. To object that the new measures are contrary to the Constitution is absurd. The Constitution of a nation is not an exact and perfect standard laid up somewhere as a model and limit of our actions, but is an imperfect attempt of the people of the nation to form rules for their daily life, and is therefore for ever varying with the necessities and exigencies of the times. When it fails in its primary duty of protection, additions must be made to it; for without security of life and property, there is neither Constitution, nor liberty, nor civil society. No country ever required the swift punishment of traitors and conspirators more than Ireland did in the year 1795. In May of this year, the organisation, by which the Directory of the United Irishmen was enabled to levy a revolutionary army, was completed in the province of Ulster.¹ Throughout the three provinces of Ulster, Leinster and Connaught, there was also a regular conspiracy to defeat the administration of justice and to deter or murder witnesses or jurors who venture to do their duty. In Connaught, "the spirit of insurgency," as a member declared in Parliament, "was not that of a private or a mere constructive nature, but showed itself in open rebellion; bodies of insurgents marched in array through the country and offered battle to the king's troops".² In the summer of 1795, Lord Carhampton was sent down with an armed force to quell the insurrection in the West. He arrived "at a time when Defenderism and Treason stalked abroad by day, and plunder and massacre were the orders of the night".³ In co-operation with the magistrates, he arrested many who had been sworn against as Defenders, brought them before a bench of magistrates, and sent them

¹ Report of the Lords' Secret Committee, 1798.

² *Irish Debates*, xvi., p. 43.

³ *Ib.*, p. 46.

to serve on board the fleet, if deemed guilty. By the adoption of this summary and necessary process, he restored peace and tranquillity to the province without bloodshed. This lesson had most important consequences ; it kept Connaught quiet during the rebellion of 1798, until the landing of a French force in Killala Bay on the 22nd of August in the same year.

CHAPTER XXIII.

GRATTAN'S SEDITIOUS SPEECHES—INSURRECTION ACT—THE
WHIG CLUB—SECOND MEETING OF PARLIAMENT—CON-
DITION OF ULSTER—THE FRENCH ATTEMPT AN INVASION.

ON the 21st of January, 1796, the Parliament met pursuant to the last prorogation. In his speech from the throne, the Lord-Lieutenant adverted to the secret and treasonable associations which existed in the country, and recommended both Houses to devise such measures as would prevent the recurrence of disturbances and restore a reverence for the laws of the country. The address was moved by Lord Tyrone. Immediately after this motion was seconded, Grattan delivered one of his abusive, and therefore ineffectual, speeches. He attacked Lord Buckingham, Lord Westmoreland and the British Cabinet. He compared the conduct of the British Minister with that of a drunken bully who struck Ireland as he was running away from France; and charged him with having swindled Ireland out of her revenue. "At the very time," said he, "that Holland was gone, that Prussia had deserted us; that Spain had lowered her tone, her armies defeated, and her sovereign, tottering on his throne, had made a peace with the French Republic, at this very time, the British Minister thought fit to insult Ireland." He then dragged in a condemnation of the conduct of the British Cabinet towards America before her independence, and concluded his ravings by moving an amendment to the address, *viz.*, that the House should

petition the King to recommend to the Imperial Parliament an equality of custom duties between the two countries.¹ The House considered that the introduction of such a measure by way of an amendment to the address was informal, and rejected it by 122 to 14.²

The Attorney-General then intimated his intention of introducing a bill to indemnify certain magistrates and others who had "acted for the public good though not exactly under the existing laws"; and also a bill to make conspiracy to murder felony. "Conspiracies to murder," he said, "were frequent now, and the idea of assassination as familiar as that of fowling . . . and even in the city of Dublin, conspiracies to assassinate were, as he had indubitable proof, become very frequent."³ On the 28th, he moved for leave to bring in a bill for the more effectual prevention of insurrections, tumults and riots by Defenders and other disorderly persons, and also a bill for indemnifying such magistrates and other persons who might have, since the 1st of January, 1795, exceeded the ordinary forms and rules of law for the preservation of the public peace and the suppression of insurrections. Leave was granted, and both bills were then brought in and read a first time. Curran rose and moved "that this House do appoint a committee to inquire into the state of the poor and the price of labour in this kingdom". As the Chancellor of the Exchequer said, this motion was intended to be an answer to the bills presented that evening by the Attorney-General, and was not made from a wish to alleviate the hardships of the poor or raise the price of labour. The House took this view of the motion, and, though Grattan spoke in its favour, the adjournment was carried by 137 to 16.⁴

On the 3rd of February, Grattan made an extraordi-

¹ *Irish Debates*, xvi., p. 4.

² *Ib.*, p. 11.

³ *Ib.*, p. 12.

⁴ *Ib.*, p. 27.

nary motion in connection with the bill of indemnity. He desired the House to make an inquiry into the conduct of the magistrates before passing a bill to indemnify them. For this purpose, he proposed that the judges who had gone circuit through the disturbed counties, the sheriffs, and the jailors of these counties, should be examined at the Bar of the House. The motion gave rise to an animated debate in which the strongest evidence was given by the country gentlemen of the deplorable condition of Connaught and of the barbarities committed by the Defenders. The House manifested very decided approbation of the conduct of Lord Carhampton and the magistrates who had resorted to extreme measures in order to pacify Connaught, agreed that the facts were too notorious to require proof, and deprecated any delay in passing the bill. The feeling was so strong, that the order of the day, being put, passed without a division. On this occasion, many of Grattan's followers deserted him, as Egan, Conolly, O'Hara and Hardy. Egan said that he had come down determined to vote for Grattan's motion, but that when "he heard so many respectable gentlemen on all sides of the House rise in their places, and declare upon their honours the facts respecting the situation of their respective counties," he felt bound to support the order of the day which had been moved by the Attorney-General. Conolly declared that if Grattan "wished for proof of the necessity of the bill, he would call for the attendance of the widows and orphans who had been left to survive the crimes and outrages of those miscreants who had disgraced the country".¹

Though Grattan's amendment to the address, respecting the equalisation of the custom duties between the two countries, had been defeated by an immense majority, he

¹ This very instructive discussion is in *Irish Debates*, xvi., pp. 42-53.

brought forward the same subject on the 15th of February. On that day he moved two resolutions: (1) that it was just and expedient that the manufactures of Ireland should be admitted into the ports of Great Britain on the same terms as the manufactures of Great Britain were admitted into the ports of Ireland; (2) that an humble address be presented to His Majesty, laying before him this resolution, and beseeching him to recommend to the Imperial Parliament the adoption of this measure.¹ This matter had been for some time in negotiation between the two countries, the most conciliatory declarations, as the Chancellor of the Exchequer said, during the debate had been made by the British Government, and there was every reason to hope that when the measure could be brought forward at a proper time, it would be granted. Grattan desired a combative resolution or declaration from the Irish Parliament; "it was by this mode of proceeding," he said, "that Ireland had obtained her Free Constitution, her Free Trade, the independence of her legislature, and every valuable privilege, political and commercial, she now enjoyed."² But Grattan's power and influence were gone for ever. At this time, he was a complete stranger to the feelings which governed the Irish Commons. Times were indeed changed with that body. Instead of seeking opportunities for displaying their jealousy of the Imperial Parliament, they desired to conciliate that Assembly, and to adopt every measure suggested to them for the defence of the Empire. Whilst Grattan was raving about the misconduct of the British Cabinet and the Irish Government, and was pouring forth groundless accusations against both, the vast majority of his hearers were thinking of the probability of an invasion; of the union of their domestic enemies; of the nightly murders, burnings and

¹ *Irish Debates*, xvi., p. 80.

² *Ib.*, p. 78.

devastations of the United Irishmen and Defenders; and of the best means of averting the ruin which threatened them and their institutions. The House wisely declined to pass a resolution which might excite the alarm of English manufacturers in a time of war. The first motion, on which the second depended, was rejected by 82 to 16.¹

It has been mentioned that early in the session the Attorney-General had introduced a bill for the more effectual prevention of insurrections and tumultuous risings, and that the bill had been read a first time. This gentleman now resolved to withdraw his bill, and to give the House full time to examine and consider whether such a measure was necessary. On the 20th of February, he moved that the House should resolve itself into a committee of the whole House, in order to inquire what measures were necessary to restore tranquillity to the disturbed parts of the kingdom. When this motion had passed, the Attorney-General described to the committee the growth of Defenderism, its objects and constitution; its extraordinary development in Connaught, where the Defenders had frequently attacked the King's troops, and its extension to other parts of the country; instanced many acts of atrocity committed by members of the association; and pointed out that, as the Defenders wore the appearance of peaceful citizens during the day, and met by night "for the purpose of plunder, murder and devastation," some new measure must be adopted to put an end to such enormities. He concluded his speech by proposing resolutions to the following effect:—

1. That the numerous attempts to assassinate magistrates, to murder witnesses, to plunder houses and take arms by force, required that greater powers should be given to magistrates.

¹ *Irish Debates*, xvi., p. 90.

2. That in those parts where Defenderism prevailed, it was necessary to give magistrates enlarged powers of searching for arms and weapons, and securing the same.

3. That, as many attacks had been made on houses by large bodies of armed insurgents for the purpose of taking arms and money, and murdering those who resisted them or gave information against them, it was necessary to give magistrates enlarged powers of preventing the meeting or assembling of such bodies.

4. That it was necessary to give magistrates larger powers with respect to vagabonds, idle and disorderly persons, and such as had no lawful trade, or any honest means of earning a livelihood.

These resolutions were carried with the single negative of Lord Edward Fitzgerald, who asserted that nothing could restore tranquillity to the country but a redress of the grievances of the people.¹ This statement was made on the 20th of February, and in the May following, this traitor proceeded to London on his way to Hamburg,² for the purpose of negotiating with Hoche for the invasion of his country.³

¹ This debate was short, *Irish Debates*, xvi., pp. 102-106.

² He was joined in London by Arthur O'Connor, Madden's *United Irishmen*, ii., p. 390.

³ Lord Edward Fitzgerald is generally spoken of as an amiable though misguided young man; but this judgment is quite too lenient. Like the other United Irishmen he contemplated with equanimity the prospect of confiscation and massacre. He rebelled, as Tone had done, because his request was refused. In 1790, he left his regiment, then in Canada, without leave, and applied to the King to give him the Lieutenant-Colonelcy of it. He was refused, and then began to declare in all companies that he would never rejoin his regiment (*Dropmore MSS.*, ii., p. 340). In October, 1792, that is, one month after the horrible massacres of September, we find him in Paris, lodging with Tom Paine. Even his biographer, Madden, is shocked that he displayed no horror of atrocities, with which he must have been well acquainted. In this year he was dismissed the army.

On the following Monday, when the new Insurrection Bill was read a first time, Grattan complained that it was partial, and did not include such offences as were then being committed in the county of Armagh. To meet what he considered omissions in the bill, he proposed certain amendments, but the Attorney-General answered his objections by showing that the bill made no distinction of persons, and that it applied to all. In his speech, Grattan attributed the crimes committed in Armagh to the Orangemen, but this charge was wholly unfounded. Grattan, at this time, was entirely in the hands of the Dublin Roman Catholics and United Irishmen, and derived his information on this matter from them. In the spring of 1796, the Orange Institution was exclusively composed of members of the Established Church, and was in no way connected with the Break-of-day Boys, who were Presbyterians and the real authors of the disturbances.¹ The amendments were rejected without a division, and the bill ordered to be read a second time on the next day.²

When the report of the committee on the Insurrection Bill was about to be read, Grattan, who had not attended the committee, and had allowed the time for moving amendments to pass, proposed that the bill should be re-committed. Harking back to the disturbances in Armagh, he declared that neither the existing law nor the bill gave sufficient protection to the poor people who were driven from their dwellings in that country; and desired to insert an amendment in the bill, compelling the country to pay full compensation to the sufferers for their losses. In answer to this complaint, the Attorney-General pointed out that such crimes as those committed in Armagh were

¹ See the evidence given before the Select Committee on Orange lodges, xiv., pp. 36, 258.

² *Irish Debates*, xvi., pp. 107-118.

already made felony of death, that therefore it was unnecessary to enact new punishments, and that indemnity to the sufferers was also provided by the law.¹ George Ponsonby spoke in favour of the recommittal of the bill, but the close of his speech showed that he was not so blind to the condition of the country as Grattan: "Who could talk of improvement in the Constitution while the dagger of the assassin was at his throat? or who could talk so eloquently of the faults of administration as to catch attention from him who feared for his life and his fortune, and clung to the arm of power as alone able to protect him? He had always been a friend of the people and would continue so; but to a people so infatuated as to resort to crimes most horrid to ameliorate their condition, and who seemed ready to wade through slaughter to catch perhaps a doubtful advantage, no man could do service, unless it were by warning them that they who thus abused liberty deserved to be slaves."² This peroration to a speech advocating delay in the passing of a measure urgently required to disarm the assassin of his knife, and to coerce a people guilty of crimes "most horrid," and seemingly "ready to wade through slaughter," gives us a measure of the intellectual capacity of the speaker. George Ponsonby was well aware that assassination was rife, and savage crimes common, yet the only remedy he could suggest for the miseries of his country was to tell the assassins and murderers that they who abused liberty deserved to be slaves. The conduct of the other leader of the Opposition, Grattan, was infinitely worse than that of Ponsonby. Though he often called attention to the persecution of the Roman Catholics in Armagh, a very small portion of the kingdom, he never mentioned the atrocities

¹ 15 & 16 Geo. III., c. 21.

² *Irish Debates*, xvi., p. 167.

committed by the United Irishmen and Defenders, atrocities which were infinitely more cruel, general and destructive, than those committed in a civil war. But, on the contrary, he prayed for the success of the United Irishmen in the House of Commons, and justified the crimes of both them and the Defenders in a pamphlet which he published in the following year. These facts will be mentioned a little later.

On the 24th of March, the Speaker presented the money bills to the Lord Lieutenant. His speech on this occasion expressed the true feelings of the House at this time, and manifested the change that had come over the spirit of that body. One paragraph is here given: "We are part of the Empire; we will stand or fall with Britain; it is our repeated, determined resolution, and this nation will exert all its powers, and will call forth all its resources to support with her the common cause, to uphold the safety of the land, the religion, and the Constitution, against the overthrow which the present unprovoked and unexampled war attempts to threaten them with".¹ The session ended on the 15th of April.

In June of this year, the Whig Club published repeatedly, in an opposition paper,² the following resolution, which was stated to be a report from a committee appointed by that society to enquire into the situation of the labouring poor. "Resolved, that from the information we have received from some counties in this kingdom, it appears that the price of labour is not adequate to the support of the labouring poor in those counties".³

We may well ask, for what purpose was this resolution of a political club published at a time when an invasion was

¹ *Irish Debates*, xvi, p. 211.

² *Dublin Evening Post*.

³ Alexander Knox; *Political Essays*, p. 91. See also Lord Clare's speech on the 10th February, 1800.

feared ; when a habitual spirit of insurgency existed in the country ; and when disaffection was general ? The resolution did not specify the nature of the information laid before the Committee ; it did not even name the counties in which the low prices prevailed ; nor did it suggest any remedy or means of relief. No list of subscriptions raised among the members of the club, no exhortation to the benevolence of the public accompanied this bald and vague announcement. If we remember that this club raised a subscription for the purpose of distributing Paine's *Rights of Man*, we can have no hesitation in concluding that this resolution was intended to strengthen discontent and foment a spirit of turbulence.¹

On the 16th of September, the first arrest of the leaders of the Northern United Irishmen was effected. Lord Downshire, Lord Castlereagh and Lord Westmeath, attended by a large body of horse and foot, apprehended on a charge of high treason Henry Haslett, Samuel Kennedy, Rowly Osborne, Daniel Shanaghan and John Young. Neilson and Thomas Russell surrendered themselves on hearing that the warrants against them were in town. Others also were arrested in the suburbs of Belfast and in Lisburn. This was a very severe blow to the disaffected in Belfast and its neighbourhood.² Wolfe Tone, writing to his wife on the 30th of this month, expressed his grief at this mishap : "I found an English paper, wherein there was an article, copied from the *Northern Star* of September 16, by which I saw, to my most unspeakable distress and anxiety that

¹ The younger Grattan gives in full a report from a committee of the club, appointed to inquire into the state of the labouring poor, which was laid before the club on the 12th of July ; that is, a month after the first publication of the resolution mentioned above. This report was a mere political document, and was far removed from any charitable or philanthropic purpose (*Life of Grattan*, iv, p. 246).

² *Belfast Hist. Collections*, p. 439-442.

Harry Haslett, and two persons of the name of *Osborne* and *Shanaghan*, had been arrested that day at Belfast on a charge of high treason; and that *Sam Neilson* and *Russell* had surrendered themselves voluntarily. You will judge how I felt the blow".¹

The Parliament met again on the 13th of October. It was summoned at this unusual time because, as the Lord-Lieutenant told the Houses in his speech from the throne, an invasion was threatened. He also said that, in addition to the regular forces in the kingdom, troops had been sent from Great Britain. When an address to the King had been moved and seconded, Grattan proposed the following amendment to it: "To represent to his Majesty that the most efficient method for strengthening the country and promoting unanimity was to take such measures, and to enact such laws, as to ensure to all his Majesty's subjects the blessings and privileges of the Constitution without any distinction of religion".² Grattan's speech on this occasion was extraordinarily seditious and inflammatory. There was not a word in it that could enlighten or persuade; it was a wild rhapsody of furious invective against the British Cabinet and the Irish Government. He commenced by saying that the speech from the throne showed the indifference of the Government to the protection of the lower orders of the Roman Catholic subjects. Dealing with the conduct of the war by the British Ministry, he accused them of inefficiency, and of having betrayed their country into the war by assurances of victory, and of having induced it to continue the war by a false confidence in French bankruptcy. He ostentatiously displayed the weakness of the empire and the triumphs of its enemies. The French, he said, had five armies, "one in Holland, two in Italy, and

¹ *Life*, vol. ii., p. 333.

² *Irish Debates*, xvii., p. 13.

two on the Rhine, who drive the Austrians out of Italy, drive them a second time out of Italy, drive them in another part of the globe to the Danube; in the course of a few first months of the campaign, fight twenty battles, conquer five crowned heads, and turn the English out of the ports of Europe; while poor England, with a group of dupes, her ministers, prophets and financiers, standing as it were on the rock of public credit to see the fulfilling of her Minister's predictions, and enjoy the shipwreck of her enemies—she sees her allies dispersed, their armies scattered, their kings subjugated, the gates of Europe shut against her trident, and her funds, that old vanity and lost hope, down drop fathom after fathom like a falling devil." "Can you conceive," he went on, "any situation more blasted than that of a cabal, whom the people of England and Ireland persist to tolerate as the Ministry, assuring their country that the enemy was exhausted, being on the eve of efforts on the part of that enemy exceeding anything before attempted by herself, or in the same time by any other nation; efforts which probably would not have been called forth but for their fatal perseverance¹ in a desperate war, a perseverance the result of their falsehood, and a despair the result of their incapacity." He then turned to the conduct of the Ministers in Ireland. "Here," said he, "the judgments of Heaven had been most emphatically called down by a blasted, brazen, flagitious, unqualified and unblushing profession and practice of the lowest and rankest public prostitution." To prove these accusations, he repeated all the old unscrupulous and unfounded charges against the

¹ "The right hon. gentleman (Grattan) after supporting a war for three years, without indicating any wish that peace should be accelerated by negotiations, now, in the fourth year, asks with the air of a man at once triumphant and consistent, why the Minister did not formerly send to Paris the Ambassador whom he has now sent" (Mr. Alexander in this debate).

British Ministers.¹ They had attempted to take back the Constitution of 1782 by the offer of the commercial treaty; they had withdrawn the proffered trade, and swindled the revenue; they had sold the peerage to buy the Commons, and for this purpose had created a new establishment of salaries in 1789; they had disbursed money without the authority of law; they had robbed the Crown of its revenues; had scolded the people from the Bar of the Commons, and kicked their prayers after them; had instructed the grand juries to publish denunciations against the Catholics, had then taken up the Catholics, resumed Protestant ascendancy, again taken up the Catholics, and finally let them down; they had promised a change of men and measures, got a great supply, and then recalled the Minister for making promises under their own authority, and told the Catholics, "whom they had most impudently, most blastedly and most foolishly deceived," that they must for ever remain disqualified for seats in Parliament; they had prosecuted the leading Catholics without colour or pretence for high treason, and now gave up the lower orders to an armed mob to be exterminated.²

The bitterest opponent of the Roman Catholics could not have devised anything more injurious to their claims than this motion and the virulent tirade which preceded it.

¹ In this speech Grattan alluded to his oft-repeated calumny, that Lord Clare, when Attorney-General, had asserted the propriety of governing Ireland by corruption. It would be folly to refute any one of Grattan's innumerable misstatements; but Mr. Lecky has adopted it (vol. vii., p. 39). What that true patriot and clear-headed statesman did say on this subject may be seen in the ninth volume of the *Irish Debates*, p. 181. "I recollect Lord Townshend's proroguing the Parliament, and I recollect when next they met, they voted him an address of thanks, which address cost this country half a million of money. I hope to God I shall never again see such effects from party; I hope to God I shall never again see half a million of the people's money employed to procure an address from their representatives."

² *Irish Debates*, xvii., pp. 3-14.

To introduce a great political question involving so much passion, prejudice and controversy, as an amendment to the address to the King, was an act of extreme folly which was reprobated by several friends of that body. "This measure, then," said George Knox, "was brought forward not to be acceded to, but to be rejected ; not to produce harmony and conciliation, but to engender discord and disaffection ; to divide those who were again beginning to unite, and in the hour of negotiation and, perhaps, of invasion, to encourage the enemy with the grateful prospect of civil broils, or, at least, of neutral loyalty." Sir Hercules Langrishe, the oldest friend of the Roman Catholics, "objected to the motion as putting at a greater distance the object of their mutual wishes, as introducing a question of passion and prejudice, when the great object that presses on us is, not *improvement* but *preservation* ; when the great alternative which offers itself to your care and choice is, whether Ireland is to retain *the blessings of a free constitution and a growing prosperity*, or sink in the common ruin of *rapine and of anarchy*." Mr. Osburne asked : "To what Parliament is it now asserted that the Catholic does not feel as zealous a loyalty in his breast as the Protestant ? To that Parliament which has granted largely on the conviction of the falsehood of such an assertion, and has thereby given the fullest hope of granting all." A wise advocate would have reminded the Roman Catholics that they owed the concessions which had been lately made to them to the conviction that they were loyal and attached to the Constitution, and would have told them, "now is your time ; prove your zeal in the common cause when your country is threatened with an invasion ; act with the Protestants, and in their esteem and gratitude you will find your emancipation." Grattan's motion was rejected by 149 to 12.¹

¹ The debate, as in vol. xvii. of *Irish Debates*, pp. 3-51. Mr. Lecky makes no mention of it.

When this motion had been defeated, the Attorney-General moved for leave to bring in a bill to empower the Lord-Lieutenant to take up and detain all persons suspected of treasonable practices. No measure was ever more necessary. An invasion was expected. The organisation, which enabled the United Irishmen to levy a revolutionary army, had been completed on the 10th of May, 1795,¹ and the directory of that body had just formally accepted the offer of assistance held out to them by the French Republic.² Yet the bill was opposed. It must be understood that the bill did not propose to suspend the Habeas Corpus Act, as was asserted by the Opposition and repeated by many hasty writers. Only one clause of that valuable statute—that which provided that persons indicted for high treason should be tried within a limited time—was suspended, all the rest was left untouched. The arguments brought forward by the diminutive Opposition were at the same time absurd and inflammatory. George Ponsonby said “he was aware that the present members of the Administration were men of vindictive spirit, and he did not wish to entrust the whole personal liberty of the subject to lovers of vengeance.” He ended his speech by declaring that “it [the bill] was designed as an instrument of terror and vengeance in the hands of the Ministers. In this idea he would always oppose it, and therefore he moved that the chairman do now leave the chair.”³ Grattan first argued that there was no evidence to justify such a measure, and then censured the House for its conduct. “You have deprived the subject of political liberty, and you now deprive him of civil liberty lest he should exercise that liberty to reform abuses—lest he should use the liberty he has left in order to recover the liberty he

¹ Report from the secret committee of the Lords, 1798.

² Report from the secret committee of the Commons, 1798.

³ *Irish Debates*, xvii., p. 52.

has lost. He protested against the system ; it is abominable ; you feel it to be so, and take these measures of power because you know the people can't be reconciled to it but by power, because you feel you have lost the confidence of the great body of the people."¹ Ponsonby's motion was rejected by 137 to 7.

Next day a bill "for encouraging and disciplining such corps of men as should voluntarily enrol themselves under officers to be commissioned by his Majesty for the defence of this kingdom during the present war" was read a second time and passed very shortly afterwards. This important Act gave rise to the yeomanry, and was immediately taken advantage of by the loyalists of the country. If the old volunteer system had been revived, that is, a system of armed voluntary bodies electing their own officers without taking the oath of allegiance or any obligation to military obedience, the United Irishmen, Defenders, and disaffected Roman Catholics would have pressed into the ranks, and on the first occasion deserted to the enemy. But officers appointed by the King were certain to enlist none but loyal men. Some of the new corps wisely refused to admit Roman Catholics. The estimate for the yeomanry at first laid before Parliament was for a number not exceeding 20,000, but in the course of six months above 37,000 were enrolled, and, as the difficulties of the country grew, their numbers increased so much that during the rebellion the yeomanry force exceeded 50,000 men, and might have been increased to a much greater extent.² Every effort was made by the United Irishmen to deter loyal subjects from joining the yeomanry. Persons who had enrolled themselves became objects of a most cruel persecution in their persons and property,³ and the publications of the United

¹ *Irish Debates*, xvii., p. 69.

² Report of the secret committee of the Commons, 1798.

³ *Ib.*

Irishmen teemed with threats and execrations against them.¹ But the wisdom of the measure was proved by the confidence it diffused among all loyal subjects, and the dismay it caused among the disaffected.

Four days after Grattan's amendment in favour of the Roman Catholics had been rejected by the overwhelming majority of 149 to 12, he moved the following resolution: "that the admissibility of persons professing the Roman Catholic religion to seats in Parliament was consistent with the safety of the Crown and of the connection of Ireland with Great Britain". This was, as Sir Hercules Langrishe said, merely an adjournment of the debate which had taken place a few nights ago. No reasonable man could expect that the House would agree to a measure which it had rejected by an immense majority only four days before. The resolution must therefore have been brought forward without a hope of success, and with the certainty that it would inflame and divide. Grattan commenced his speech by telling the House that the Roman Catholic question was now a matter between the people of Ireland and the Crown of England, that is, that the Protestants of Ireland were all favourable to the claims of that body². He then portrayed the miserable condition of England. Where are her colonies, he asked? Where are the thirteen provinces of America? The East Indies still remained to her, but they were only wealth, not population, and the West Indies were the graves of her best officers and men. England had lost her

¹ Knox, *Political Essays*, p. 105; *Beresford Correspondence*, ii., p. 128.

² This falsehood was first fabricated at the meeting of the Roman Catholic United Irishmen held at Francis St. Chapel on the 9th of April, 1795. Dr. MacNeven was its author. It was not intended for Irish ears, for every one in that country knew it was false, but for friends in England. To the speeches made at this meeting, Grattan was much indebted for the arguments brought forward by him in 1796 and 1797 (*Orations delivered at a meeting of the Roman Catholics of Dublin, 1795*).

allies, and her enemies now were her old allies and new France. The population of France was more than thirty millions, opposed to less than fifteen millions in the British Islands. Of these latter, three millions would be required to oppose three millions of Irish Roman Catholics; so that six millions must be deducted from the strength of the Empire. The Ministry refused the blessings of the English Constitution to the Irish, though they gave them to the Corsicans and Canadians; refused them at a time when the British navy could not keep the sea without them. What is the British navy? a number of planks—certainly not! a number of British men?—certainly not! No, but a number of British and Irish.¹ Transfer the Irish seamen to the French, and where is the British navy? If the Minister insists that the English religion shall be a necessary qualification to sit in the Irish Parliament, we must insist that Englishmen, having no property in Ireland, shall be banished out of our Parliament. That an English gentleman should come to this country on the part of the British Cabinet, and say that it was necessary for his country to exclude a part of ourselves from Parliament, was an insult so impudent and blasted, that it could only be tolerated if Great Britain had conquered France, Spain and America. He concluded this medley of ignorance and sedition by saying that “he approved of the British Ministry when they liberalised towards the Catholic, and condemned the Ministry in '95, when it renounced its liberality and its honour, and returned to its barbarity, and employed Christian sects, like hell-hounds, to hunt down one another. That in consequence of this, they have set up in Ireland a proscriptive State, a proscriptive Parliament, a proscriptive Monarchy, a proscriptive connection; they have done so

¹ Mr. Lecky tells us that this speech consisted of “sentences of condensed power, worthy of Tacitus” (vii., p. 203).

when the condition of the Empire is in a great degree feeble, and that of the Constitution in the last degree corrupt". The other leader of the Opposition, George Ponsonby, also dwelt on the situation of Great Britain. "Are not," he exclaimed, "the consequences of her ill successes blazoned to the world by her recent measures? What made Mr. Pitt sue for peace to the French Directory? What made him apply to the King of Prussia for his mediation, which was refused? What made him afterwards apply to the Danish Ambassador for the mediation of his court, which was refused also?" etc. But such language, and its infinite folly, only tend to irritate the reader. The resolution was rejected by 143 to 19.¹

About the time when Grattan was disparaging the strength of the Empire and telling the Irish Commons that there would be no invasion, a special messenger arrived from France, and announced to the directory of the United Irishmen that an army of 15,000 men would speedily arrive, together with a large quantity of arms and ammunition intended for the Irish Republicans.² A few days after this messenger had left Ireland on his return, a very extraordinary occurrence took place: a letter from France was received by the directory of United Irishmen, which was considered by them to be authentic, stating that the projected descent was postponed for some months. These contradictory communications threw the Irish directory off their guard, in consequence of which they omitted to prepare the people for the reception of the enemy. When

¹ *Irish Debates*, xvii, pp. 72-126. Mr. Lecky makes a singular mistake in saying that "this was the last occasion on which the question of Catholic Emancipation was raised in the Parliament of Ireland" (vii., p. 205). The question was again raised and debated in May, 1797, when W. B. Ponsonby introduced Grattan's revolutionary Reform Bill (*Irish Debates*, xvii., p. 530).

² Reports from the secret committees of the Lords and Commons, 1798.

Thomas A. Emmet, in his examination before a Committee of the Lords, was asked how could he account for the loyalty displayed by the people at the time when the French were in Bantry Bay, he replied that this letter had so disconcerted the United Irishmen Executive that they left the people to themselves. In other words, the country remained quiet, because the Northern and Dublin traitors had not despatched their emissaries to corrupt the people by prophecies just written as if made long ago; by lies that the Protestants were about to rise and massacre them; by their promises of dividing the land and abolishing tithes; and by every means fitted to mislead an ignorant and superstitious peasantry. It was not until the following year that the ministers of midnight murder, robbery and outrage made much impression on the peasantry of Munster, and their success was attested by the introduction into that province of the crimes and enormities which disgraced Ulster.¹

About this time also the state of the North was dreadful, and continued to be so until General Lake in 1797 struck the first effectual blow against rebellion in these parts. In the latter end of 1796 and beginning of 1797, the loyalists of Ulster suffered most severely from the outrages of the United Irishmen; they were stripped of their arms throughout that province; the most horrible murders were perpetrated by large bodies of men in open day, and it was almost impossible to bring the offenders to justice "from the inevitable destruction that awaited the witnesses or jurors who dared to perform their duty".² On the night of the 28th of October, 1796, the King's stores in Belfast were broken into, and ten barrels of gunpowder stolen. It was remarked at the time that five barrels of damaged gun-

¹ Report from the secret committee of the Commons, 1798.

² *Ib.*

powder were left untouched.¹ The disaffected had adopted the practice of marching in military array, and of assembling in very large bodies under the pretext of saving corn, digging potatoes, etc., but really to terrify the loyal and compel them to join their association; to display their own strength, and to give the people the habit of meeting upon a short notice.² But nothing showed more clearly how general the disaffection in the North was than the care taken by the peasantry of the property of those persons who had been arrested on suspicion of high treason. William Orr had his entire harvest cut down by six hundred of his neighbours; Rowly Osborne had forty ricks of hay stacked in a very short time by an immense number; William Weir had 2,360 stooks of grain and thirty-eight ricks of hay completely stacked and thatched in three hours; Samuel Neilson had a field of potatoes dug in seven minutes by a body of fifteen hundred persons.³

Two incidents in the November of this year throw light on the condition of Ulster at the time. On the sixth day of that month a proclamation was issued by the Lord-Lieutenant and Council, some paragraphs of which are here given: "Whereas we have received information that divers ill-affected persons have entered into illegal and treasonable associations in several parts of the counties of Antrim, Down, Tyrone, Londonderry and Armagh, to subvert the established Government of this kingdom; and, for effecting such their treasonable purposes, have assassinated divers of his Majesty's faithful and loyal subjects who have endeavoured, and threaten to assassinate all others who shall endeavour, to detect or suppress their treason; and in further prosecution of their designs have endeav-

¹ *Belfast Historical Collections*, p. 446.

² Report from the secret committee of the Commons, 1798.

³ *Belfast Historical Collections*, p. 444.

oured to deter his Majesty's loyal subjects from enrolling themselves under officers commissioned by his Majesty for the defence of this kingdom during the present war by maiming and destroying their cattle, and by assaulting and wantonly wounding one person because he had enrolled himself, and by threatening assassination against all persons who should so enrol themselves. . . . And whereas we have also received information that on Tuesday, the first of November instant, a considerable number of armed men, associated in the aforesaid treasonable conspiracies, entered the town of Stewartstown, in the county of Tyrone, and cut and maimed several of the peaceable inhabitants of the said town, who had refused to join their associations and who had agreed to enrol themselves in a corps under officers to be commissioned by his Majesty, etc., etc. And whereas we have also received information that . . . many large bodies of men have assembled and arrayed themselves, and marched in military order and with military music through several parts of the said districts, under the pretence of saving corn and digging potatoes (though they far exceeded the numbers necessary to be employed in such services), to the very great terror of the loyal and faithful subjects of his Majesty''. The proclamation then proceeded to warn all persons of the dangers they might incur, and charged them on their allegiance to desist from these treasonable practices; and further, commanded all civil and military officers to prevent and disperse all treasonable, seditious, and unlawful assemblies.¹

To counteract the system of assassination and the spread of illegal societies, Lord O'Neill, governor of the county of Antrim, on the 12th of the same month, called a meeting of the magistrates of the county. Resolutions were passed

¹ Report from the secret committee of the Commons, 1789, Appendix, No. 7.

denouncing with indignation and abhorrence the system of assassination and outrage which was making its appearance in their county, and declaring that "this atrocious system" had originated in unlawful meetings held under the pretext of promoting reform; the members of which, it was believed on good grounds, were united under the obligation of unlawful oaths. Another resolution pledged them as men and magistrates to use their best endeavours to stop the progress of sedition, outrage and assassination, in whatever form they might appear.¹

Towards the end of this year, a vacancy occurred in the representation of the county Antrim. Arthur O'Connor at once presented himself as a candidate for the seat. He and his friend, Lord Edward Fitzgerald, fresh from the betrayal of their country, arrived in Belfast for the purpose of canvassing.² On the 22nd of October, O'Connor issued an address to the electors of the county, quite as seditious as any of the speeches delivered by the Opposition in Parliament.³ His second address to the same body was so treasonable that he was arrested on the 2nd of the following February, and committed to the Tower as one suspected of various treasons.⁴ While O'Connor was in Belfast, a letter was received on the 27th of December from the Chief Secretary, announcing the appearance of a French fleet off the southern coast. The chief magistrate of the town⁵

¹ *Belfast Hist. Collections*, p. 448-9.

² Madden ii., p. 386.

³ "Grattan, Duquerry, Ponsonby and Sir Laurence Parsons," says Madden, "eschewed all overt acts of sedition and high treason. They considered it was unparliamentary for members to "unthread the rude eye of rebellion." It was only permissible for them to rouse the slumbering people, and stimulate their leaders by their eloquent invectives against government, etc.," vol. ii., p. 376.

⁴ His imprisonment lasted for six months. On his liberation, he resumed his treasonable practices. In May, 1798, he was tried for his life at Maidstone, but escaped his just fate through the weakness of the judges.

⁵ Then called sovereign of the town.

immediately called a general meeting of the inhabitants, in which he urged the necessity of arming in defence of their country against the common enemy. But the United Irishmen perverted the meeting to their customary purposes of counteracting the efforts of Government and inflaming the mind of the public. William Sampson, a barrister, afterwards banished, in order to prevent the arming of the loyal, proposed that a committee should be appointed to frame such resolutions as might to them seem proper. O'Connor spoke at great length in favour of Sampson's proposal, which was carried, and a committee of nine was appointed, five of whom at least were United Irishmen.¹ The committee drew up a string of insidious resolutions declaring that the imperfect representation in the Commons was the cause of the present discontent; that a reform in Parliament, without distinction of religion, would restore tranquillity; that they were ready to arm, if the Government would allow them to arm in the same manner as the old volunteers; that is, without taking the oath of allegiance, or any obligation to military obedience. "When the fate of Ireland seemed to tremble in the balance," said Alexander Knox in his address to the United Irishmen who joined in these resolutions, "and every honest mind was on the stretch to avert the impending horrors, you too came forward. But for what purpose? Was it to lay down your jealousies and discontents at the altar of national safety, and join heart and hand in the measures taken for the common defence? No, but it was to counteract the efforts of your better disposed neighbours, and to turn the public occasion, which their honest zeal afforded you, into an opportunity of insulting Government by a proposal in the very teeth of the laws, and of adding fresh fuel to that

¹ O'Connor, William Tennent, Robert Simms, Gilbert McIlveen and Sampson.

flame which your own arts had kindled in the bosom of the community”¹.

On the 16th of December, a great French fleet, consisting of seventeen line of battle ships, thirteen frigates, seven corvettes and six transports, sailed from Brest for the invasion of Ireland. On board there were 13,975 men, and an immense provision of arms and ammunition, together with twenty pieces of field artillery and nine of siege. Never was an expedition so mismanaged. The general in command (Hoche) and the chief admiral chose to sail by themselves in a fast frigate, and on the first night disappeared, and were never again seen until the return of the fleet to France. On the same night, though the weather was serene and the wind favourable, a seventy-four was lost with upwards of 500 men. The absence of Hoche and the chief admiral paralysed the expedition. The fleet separated frequently. On the 21st of the month thirty-five ships were together, eight only being absent, and sailing “in most delicious weather, with a most favourable wind,” only three leagues off Cape Clear, yet the second in command (Grouchy) did not dare to seize the opportunity of landing. On the morning of the 22nd the fleet neared Bantry Bay, but on the night of this day an easterly gale again separated the fleet, sixteen only having gained anchorage off an island in the bay, while nineteen were blown to sea. The gale continued, and on the night of Christmas Day the only admiral who remained out of four put to sea without any previous signal to warn the fleet. On the 27th, what remained of the fleet in the bay put to sea, and on the 29th the Commodore made the signal to return to France.²

¹ Knox, *Political Essays*, p. 124. *Belfast Hist. Collections*, pp. 450-455.

² Wolfe Tone, who was on board the *Indomptable*, has left us a correct and picturesque account of this expedition.

CHAPTER XXIV.

ORIGIN OF THE UNITED IRISHMEN—PROCEEDINGS IN THE COMMONS—PROPOSED TAX ON ABSENTEES—GENERAL LAKE'S FIRST PROCLAMATION—GRATTAN AND FOX—REPORTS FROM THE SECRET COMMITTEES OF BOTH HOUSES—GRATTAN'S REFORM BILL—SECESSION OF THE OPPOSITION.

THE United Irishmen sprang directly from the agitation which preceded and led to the much-praised but really disastrous settlement of 1782. The Protestant nobility and gentry of Ireland—it must ever be borne in mind that up to 1800 the word Protestant did not include the Presbyterians—had long desired a federal connection with Great Britain; that is, they wished for the protection without the restraint of the protecting Power. They had long shown their hostility to the existing connection by their jealousy of the Imperial Parliament and by their opposition to the British Government in internal affairs. A short time before 1782, the dangers and difficulties of Great Britain had inspired them with hopes of obtaining the exclusive authority over their own country. An alarm of invasion enabled them to raise a large army of volunteers, a showy but useless force, if Marshall Saxe's maxim be true, that an army marches on its belly. Beyond marching at reviews the volunteers were wholly unacquainted with discipline. Every man did that which was right in his own eyes; there was nothing to bind them to their colours, or to unite the different corps into one body.

They did not take the oath of allegiance, nor were they bound by any obligation to military obedience. Being unprovided with a commissariat, they could not have marched against an invader without ravaging the country for their own sustenance. Supported by this body, the Protestant aristocracy of Ireland demanded their independence from their only Protector in the hour of her extremest peril. The demand was acceded to, and a colony, which could not defend itself from external or internal enemies, and which did not possess a single ship of war, was declared by Act of Parliament to be an independent nation. Surely no baser origin of a nation was ever heard of.

The aristocracy, having obtained their desire, would gladly have arrested any further agitation. They were satisfied with their victory; but the Presbyterians, who filled the ranks of the Northern volunteers, were far from being content with a revolution from which they derived no advantage. Their principles were very different from those of the aristocracy, which had employed them as tools. They were strongly inclined to Republicanism, and opposed both to an aristocracy and the Established Church, and had imbued the Ulster regiments with their own democratic ideas. The volunteers had been told so frequently that they were the saviours of the country and the armed majesty of the people, that they naturally expected to have a voice in settling the constitution of the new kingdom. Finding that there was to be no change in the old order of things, and trusting to their armed strength, they revolted against their old masters and attempted to effect a new revolution. They elected a Parliament of their own for the purpose of forcing the constitutional Parliament to carry into effect their own peculiar principles. The attempt was defeated, but the spirit which had prompted it was not

stilled. As early as 1784, the volunteers and Presbyterians of the North, perceiving that without the concurrence of the Roman Catholics they could not obtain “a *reformed* legislature acting *independently* of England,” began to court that body.¹ An alliance was concluded with the Roman Catholics on the terms: we will give you our clamour for emancipation, and do you give us your numbers for our revolutionary reform.² In 1791, the influence of the French Revolution began to be felt by the restless spirits in the North. On the 14th of July in that year, the volunteers and inhabitants of Belfast met in an assembly, convened by public notice, to express their feelings on the French Revolution. The unanimous “declaration” of the assembly shows us how far democracy had advanced in that town. It proclaimed, among other things, that forms of government “may be changed or modelled by the real will of the public—a will supreme, paramount to all other authority,” and that “obedience itself ceases to be a duty when the will of the people ceases to be the law of the land.”³ These opinions were absolutely destructive of all government. To carry them into execution, the Society of United Irishmen was established, as a circular of that body informs us, “to give an example, which, when well followed, must collect the public will, and concentrate the public force—the effect of which must be rapid, momentous and consequential.”⁴

Of the means which the members of this Society adopted to spread their opinions, and to terrify the timid to join their conspiracy, enough has been said. In Ulster, their success was great. At the commencement of 1797, the

¹ *Belfast Historical Collections*, p. 295.

² *Irish Debates*, xvii., p. 185.

³ *Belfast Historical Collections*, p. 352.

⁴ Circular of the Dublin Society to two societies in the town of Belfast.

United Irishmen possessed more influence there than the Government.¹ All civil authority was at an end.² There was scarcely a day without a daring outrage.³ The loyal inhabitants were deprived of their arms, and, if they uttered their sentiments, they were assassinated.⁴ Magistrates were shot for doing their duty.⁵ Two authorities of the highest value present us with a picture of the frightful anarchy which prevailed in Ulster at this time. "In the latter end of 1796 and beginning of 1797," says the report of the secret committee of the Irish Commons, "the loyal inhabitants of Ulster suffered most severely from the depredations of the United Irishmen; throughout the province, they were stript of their arms; the most horrid murders were perpetrated by large bodies of men in open day, and it became nearly impossible to bring the offenders to justice, from the inevitable destruction that awaited the witnesses or jury who dared to perform their duty." On the 1st of February, 1797, Alexander Knox addressed a letter to the United Irishmen of Belfast, in which he says: "Gracious Heaven! to what a state have you already brought this once peaceful province. Like the first deceiver of man, you have stolen into the retreats of innocence and tranquillity, and changed them by your pestilent suggestions into scenes of turbulence and guilt. . . . Till your accursed society existed, there was no midnight terror, no wanton cruelty. The wealthy farmer went to his repose, and the benighted traveller pursued his way, unsuspecting and unarmed. But since your disastrous rise, I appeal to any man who knows the country, whether there have not been more house-breakings and house-burnings, and more attacks upon person and property, than occurred for an hundred years before."⁶

¹ *Irish Debates*, xvii., p. 147.

² *Ib.*, p. 144.

³ *Ib.*, p. 140.

⁴ *Ib.*, pp. 141, 148.

⁵ *Ib.*, pp. 148, 154.

⁶ *Political Essays*, p. 133.

What kind of reform these men desired, we know perfectly and thoroughly. The writings of Wolfe Tone, the gloomy verbosity of Drennan, and their own plan, published at an early stage of their career, have explained every detail. It was revolutionary democracy at which they aimed. Its features were universal suffrage, annual elections, and every man capable of being elected. Nor would this scheme have long satisfied them. In 1795, Dr. Drennan addressed a letter to Lord Fitzwilliam, hailing him as a member of the Society for Constitutional Information, a society which had been denounced as seditious by the report of the secret committee of the British Commons. In this letter, he says: "My lord, I do firmly believe that any plan of reform, sincerely put into execution, would do much to please, though not to satisfy, the people. Any reform, once made, would render every reform afterwards more easy; and, when adopted, any plan would tend to perfect itself. It may walk on, as Catholic emancipation did, from gradual to total."¹ "What *total reform* means in the vocabulary of the United Irishmen," says Alexander Knox, "need not be explained . . . it threatens consequences which no one can contemplate without horror and dismay."²

On the 16th of January, 1797, the Parliament met, pursuant to the last adjournment. The Chief Secretary read to the Commons a message from the Lord-Lieutenant, stating that Spain had declared war in an abrupt and aggressive manner; that the negotiations with France had failed; and that the King was greatly pleased by the general spirit of loyalty displayed by the people on the appearance of a hostile fleet in Bantry Bay. On the following day, an address was moved to the King for his gracious

¹ Letter to his Excellency, Earl Fitzwilliam, Dublin, 1795. It is signed by the author.

² *Political Essays*, p. 189.

communication. Grattan made a long and abusive speech, ending with an amendment to the address to the following effect: that the House felt the highest confidence in the King's desire for peace, but could not concur that his Ministers had been serious in their negotiations with France; or that the naval force of Great Britain had been exerted with due vigilance on a late occasion for the protection of Ireland.¹ Grattan's amendment was defeated in a thin House by 90 to 7.²

On the 21st of February, the Chancellor of the Exchequer introduced his budget. He estimated that the expenses of the year would amount to £3,800,000, which sum included an increase of a million in the military department. He proposed to augment the regular troops by 8,000 and the militia by 4,000 men, which, with the yeomanry, made an augmentation of 42,000 men. The House manifested an extraordinary desire to raise a still greater force than that proposed in the budget. Sir John Blaquièrè urged that an addition of 10,000 men should be made to the regular troops to serve in the three kingdoms. Mr. Vandeleur proposed that the additional troops should serve only in Ireland. This was opposed by the Chancellor of the Exchequer, on the ground that it showed a selfish and churlish disposition on the part of Ireland, to prepare for her own defence instead of bearing a part in the general defence of the Empire. Grattan supported Vandeleur's proposal. The defence of Ireland, he said, ought not to be left to the British Minister; the defence of his own country was a primary object to him—the defence of Ireland was only of subordinate interest. To leave the defence of

¹ Mr. Lecky describes this amendment as "pointing to peace". No doubt the word *peace* occurs in the amendment, but the motion really was a censure on the King's Ministers.

² *Irish Debates*, xvii., pp. 159-288.

Ireland to him, lowered very much the character of Parliament, and gave to the debates of the House a ridiculous and servile complexion. It simply meant, that everything should be granted to the Minister, without securing anything for Ireland. The Chief Secretary combated the idea of restraining the additional force to Ireland, thus crippling the hands of Government. He mentioned that twelve regiments of fencible cavalry had volunteered to serve in Ireland, and that the clans of Scotland had offered to raise 16,000 men for the same purpose. George Ponsonby declared that the measures proposed would not defend the country from an enemy that had vanquished Spain, Holland, Italy and almost Germany. The only way to defend the country was to rely upon the enthusiastic force of the whole nation. All measures were futile that did not excite that powerful force. He was not afraid to mention those measures which would save the country. They were a complete reform of the representation of the people in Parliament; a perfect emancipation of the Catholics; an abolition of all religious distinctions; and a general equalisation of commerce between the two countries. Nothing else but these measures could save the country, and he would persevere in recommending them.¹

The introduction of controversial questions, at a time when the House was considering the defence of the country,

¹ A remark of Lord Charlemont about this time shows how low the Opposition had fallen in public estimation. His friend, Halliday, had written to him that the defection from the Opposition of Sir L. Parsons had astonished many of his own friends. Charlemont replied, "What you mean by the defection of Sir Lawrence Parsons I do not exactly know, unless the refusal to obey the dictates of a private party of eight or nine gentlemen, lawyers and others, be deemed defection. Unless it shall be deemed defection to follow the dictates of our own unbiassed reason, rather than implicitly to assent to the peevish and ill-timed motions of a few, whose opposition is rendered the less respectable, because in some of them at least, without any breach of charity, it may be supposed to originate from disappointment and consequent discontent" (*Charlemont's MSS.*, ii., p. 295).

was justly reprobated. Grattan, however, rose a second time, and said that he agreed perfectly with Ponsonby. Sir Lawrence Parsons, who was deeply impressed with the danger of the country, proposed an address to the Lord-Lieutenant "to embody 50,000 yeomen in addition to those already embodied". Finally, the motion of Blaquiére was changed into the simple form that 10,000 men should be raised for the public service.¹

Two days later, Sir Lawrence Parsons again proposed that 50,000 yeomen should be added to the existing force. The Chief Secretary opposed on the ground that the motion implied neglect on the part of the Government, and infringed on the province of the Executive. To this argument Grattan replied, that Sir Lawrence had proposed a large force to oppose the enemy, and that force was to consist of the people. To which, the English servant of the English Minister says: "What, would you have me bid for the people?" He would say to that English deputy of that English Minister, if he would not bid for the people he might go about his business. The motion was defeated by 125 to 23.²

A very interesting debate, relating to commercial matters, took place on the 25th of April. On that day the Chancellor of the Exchequer gave notice that, in the Committee of Ways and Means, he would propose an open loan for £800,000 at 6 per cent., with a bonus of £5 added to the capital. This measure was very strongly opposed. It was stated that the Bank daily rejected the bills of the best houses in the city; that, in consequence, commerce and manufactures were at a standstill; that there were weekly meetings of the merchants to consider how bankruptcies might be postponed; and that, if Government offered

¹ *Irish Debates*, xvii., pp. 324-339.

² *Ib.*, pp. 345-357.

7 per cent., it would be impossible to obtain money for commercial purposes. The Chancellor treated these objections very lightly, but the Speaker, whose authority in matters of trade and commerce was considered very high, supported the objections, and the matter was not then proceeded with.¹

On the 27th, George Ponsonby proposed a vote of censure on the King's Ministers for their neglect and unskillfulness in the direction and distribution of the naval and military forces of the country on the appearance of the French fleet in the previous December. He had no authentic papers or proofs to proceed on, for the House had refused to let him have any, and he was obliged to depend on mere rumours. His speech consisted entirely of inflammatory abuse. The Administration had decided, he said, to make Ireland, rather than England, the theatre of war. In privilege, Ireland was to be ever inferior to England, but in danger, hazard and destruction alone, she was to have the superiority. He was not surprised at the misconduct of the Administration. They came into power ill-omened and inauspicious, stained with falsehood, and destined to blast the hopes of the largest body of the King's loyal subjects. The object of his motion was to censure the Chief Secretary, and to transfer the reins of government to abler hands. Grattan supported the motion, but it was negatived without a division.²

On the 28th, Mr. Vandeleur proposed a tax of two shillings in the pound on the rents of absentees. He made an admirable and unanswerable speech on the proposal, which he described as a measure of resource and also of policy. Ireland, he said, is at the end of her resources. Our debt amounts to ten millions, our taxes to two

¹ *Irish Debates*, xvii., pp. 360-365.

² *Ib.*, pp. 366-371.

millions. All ranks of men have been called upon to contribute to the support of the country, save the Absentee alone. We have called upon the peasant, "the most miserable on the face of the earth," to contribute by a tax on his brogues, and we now again call upon him to pay a tax of cent. per cent. on his salt. Last year, we taxed the higher classes by a duty on their wines, and now we increase that tax. The absentee alone pays no taxes. By residing in England, he evades the Irish taxes on consumption, and, his estate being in Ireland, he escapes the English land tax. The absentees have performed not one of the social duties which every one owes to his country, either as a landlord attentive to the interests of his tenantry, or as a magistrate. All the disturbances, which for half a century have disgraced the country and checked its growth, have invariably commenced on the estates of absentees; who, if they had remained in their own country, might have restrained the licentious and encouraged the industrious. In 1783, an estimate had been made of their rentals, which then amounted to £1,227,480. Since that time, rents have risen, and their rentals at the present time may be estimated at £1,500,000, on which sum a tax of two shillings in the pound would give £150,000. This beneficial measure was opposed by, among others, Lord Castlereagh on most ludicrous grounds. The right of property, he urged, "was paramount to the State—the State was instituted but to protect it, and therefore it cannot justly affect it." The proposal was rejected by 122 to 49; but it was rejected, because the Parliament was unwilling to offend a powerful party in that kingdom to which its members now looked for protection.¹

On the 2nd of March, a proclamation was issued by the

¹ *Irish Debates*, xvii., pp. 379, 403.

Lord-Lieutenant in council, ordering the directors of the Bank of Ireland to suspend payments in specie until the sense of Parliament should be taken on the subject.¹ The Bank at once complied, at the same time informing the public that its affairs were in a very prosperous condition. On the following day, the bankers, merchants and traders of the city of Dublin met and passed a resolution declaring their readiness to accept the notes of the Bank of Ireland and of the other bankers in payment of any sum of money. This order of the Lord Lieutenant was subsequently sanctioned by Parliament.²

One of the many evils inherent in the system of Parliamentary Government is the weakness of the Executive in times of danger. The party in power dreads every breath of censure, and lives in fear of the Opposition. To secure the continuance of its existence, and to avoid alarming voters, who, from their position, can have no knowledge of State affairs, it shrinks from strong measures, and seeks its safety in blameless inaction, at a time when speedy and decisive action is absolutely necessary. The Duke of Portland, actuated by feelings of this kind, and ignorant of the condition of Ireland, had expressed doubts as to the wisdom of passing the Insurrection Act, and thereby had restrained the Irish Government from adopting further measures which they considered necessary for the restoration of law and order. But the dreadful state of the North compelled that Government to disregard such criticism, and endeavour to arrest the progress of murder, terror and intimidation which prevailed in Ulster. On the 3rd of March, 1797, the Chief Secretary, on behalf of the Lord-Lieutenant, wrote an official letter to General Lake, then in Belfast,

¹ A similar order had been issued by the Privy Council in London on the previous 26th of February.

² *Irish Debates*, xvii., 404-5. Seward's *Collectanea Hibernica* iii., p. 186.

ordering him to disarm all persons within his district except those who bore his Majesty's commission, or were acting under officers so commissioned. Lake was also authorised to employ force against persons assembled in arms ; to disperse all tumultuous assemblies, though unarmed, without waiting for the sanction of the civil power, if he considered the peace of the realm or the safety of the King's subjects endangered by waiting for such sanction ; and to consider those parts, where the outrages had been committed, as being in a state that required all the measures of exertion and precaution, which a country depending upon military force alone for its protection, required.¹

This letter set forth the reasons of its issue. In the counties of Down, Antrim, Tyrone, Derry and Donegal, secret and treasonable associations still continued to an alarming degree, the members of which attempted to defeat all the exertions of the loyal and well-disposed by a system of terror ; they threatened the lives of all who ventured to discover their treason ; assembled in great numbers by night, and by threats and force disarmed the peaceful inhabitants ; fired upon magistrates who endeavoured to apprehend them when on their nocturnal robberies ; threatened by papers, letters and notices, all who should in any manner resist them ; on their nightly excursions to disarm the loyalists they disguised themselves ; endeavoured to collect great stores of arms in concealed places ; cut down great numbers of trees on the estates of the gentry for the purpose of making pikes ; stole great quantities of lead to cast bullets ; exercised themselves by night in the practice of arms ; intimidated persons from

¹ Mr. Lecky says that this letter placed Ulster under martial law. But disarming a locality, and placing it under martial law, are two very different things. Martial law at once displaces all civil courts, and transfers their power and authority to the officer commanding the troops in the district. This letter had no such effect.

joining the yeomanry, and refused to employ those who had enlisted in that force; they not only threatened, but ill-treated the persons of the yeomanry, and even attacked their houses by night, and proceeded to the barbarous extremity of deliberate and shocking murder; and professed a resolution to assist the enemies of the King, if they should be enabled to land in the kingdom.

The letter had been sent to General Lake three weeks before he acted on it.¹ Great secrecy was necessary to have the troops ready, and so disposed in different places as to make seizures at the same time, and render resistance ineffectual. It was not until the 13th of March that Lake issued his proclamation, appealing to the people to reflect on the ruin into which they were rushing, requiring all persons—except peace officers and those serving in a military capacity—to surrender the arms and ammunition in their possession to the nearest officer in command of King's troops, inviting all persons to give information touching concealed arms, and promising the full value of the arms so seized to the informer as a reward.²

On the 18th, the Chief Secretary delivered to the Commons a message from the Lord-Lieutenant, stating that the insurrectionary spirit manifested in some districts of Ulster had compelled him to issue a proclamation declaring those districts to be disturbed, and that he had given instructions to General Lake to assist the magistrates in disarming the inhabitants of those districts. Two days later, the House resolved itself into a committee to consider this message. Mr. Ogle moved an address to the Lord-Lieutenant promising him the hearty and cordial co-operation of the House. Grattan moved an amendment, expressing

¹ *Irish Debates*, xvii., p. 160.

² The letter of the Chief Secretary and Lake's proclamation are in the Appendix to the report from the Commons' secret committee, 1798.

regret that the Lord-Lieutenant had issued an illegal order, and praying him to recall it. In his speech, he indulged in the seditious and inflammatory rant which had become habitual to him. Parliament, said he, was called upon to attain a *people* for high treason on a charge preferred by a *Minister*. An Irish Parliament was called on to take the word of a Minister, and on that word, to attain their country of treason; to attain that armed people, who, to the sound of martial music, had carried the Parliament on their back, when the English Parliament had trampled on their rights, and had ravished them into the Temple of Freedom. He considered the order so illegal, that it could not be enforced against an individual without committing felony, or against the province of Ulster without committing high treason. He had read of the outrageous Acts of Charles I., James II., the Court of High Commission, the Star Chamber, and the imprisonment of the Bishops; but what were all these to the order of a Minister depriving a great province of its arms? Will you suffer, he asked, the deputy of an English Minister to disarm the Irish, to enslave your country, and disgrace her? Nothing is so silly as to show an extraordinary zeal to trample on the people to gratify the Government—a Government which has declared it will persist in proscribing the Catholics, and now consigns the Protestants to military execution. Remember America, which separated on account of violent laws and military execution.¹ Are the Acts which you have passed with regard to Ireland milder or more constitutional than the proceedings

¹ America appears regularly in Grattan's speeches. As William Smith told him, "It is the Othello's handkerchief, with which you reply to arguments and facts—and record your incurable jealousy of England" (*Letter to Henry Grattan*, 1800). This is one of three pamphlets published by this gentleman, who was afterward a Baron of the Exchequer, which are absolutely necessary to a student of the later history of Ireland before the Union.

or the Acts passed against America? I would appeal to the King and people of England. If the English Court is insensible to its danger, I would appeal to the Opposition and Lord Moira. I appeal to Mr. Fox, who may preserve the love of Ireland to Britain by opposing gigantic abilities to gigantic despotism. Ulster may depend upon it that this system cannot last; the continuance of the present Ministry is improbable, and a new Ministry will abandon the coercion, terror, and anarchy of the present. He ended by saying,—“that Ulster would recover her liberty,” he wished and believed. “The same Providence, that led by the hand through the desert another persecuted tribe, will conduct them through the horrors by which they are surrounded.”¹

George Ponsonby attempted to explain away his leader's attack on the independence of the Irish Parliament, and went beyond him in his praise of the Northern rebels. The people of Ulster, he said, have committed two crimes; they have buried their bigotry, and have discovered that the representation of Ireland, after having been mangled, mutilated and corrupted by a succession of English viceroys is not such as a free nation has the right to expect; and for these crimes they have been persecuted. He honoured and applauded them; he would support them in their pursuit of reform, and would advise them to make all the resistance, which the law allowed, to the exercise of a dispensing power, and the execution of illegal orders.

The answer to all this encouragement of traitors was, the law could not be enforced in the province of Ulster. Grattan's amendment was rejected by 127 to 16.²

¹This sentence must be badly reported, for Alexander Knox says it was a prayer: “These [United Irishmen] are they for whom the *Paragon* of Irish eloquence offered up his fervent prayer to Heaven, that the same Providence which conducted another persecuted tribe through the desert, may lead these victims of oppression also through the horrors with which they are surrounded” (*Political Essays*, p. 163).

² *Irish Debates*, xvii., pp. 129-173.

In 1785, Grattan, with the cry, "Perish the Empire, live the Constitution" in his mouth, caused the commercial treaty to be rejected, on the ground that it infringed upon the independence of the Irish Parliament. This treaty would have strengthened the Protestant community greatly by uniting it in the friendly bonds of trade and commerce with Great Britain. In 1789 he induced the Irish Parliament to choose a Regent of their own, in violation of Irish law, on the pretence that, being independent, it ought not to receive a Regent appointed by the Imperial Parliament. Now, disappointed in his schemes and neglected, he advocated the exercise by the British Parliament of an appellate jurisdiction over the proceedings of his native Parliament, and justified this attack on Irish independence by the flimsy argument that the conduct of the Irish Parliament endangered the connection between the two countries, and that the connection was a question of Empire, and therefore a question for the British Parliament. Nor was this the only occasion on which he urged this doctrine, so destructive of the very idea of independent Irish legislation. Later in the session, Dr. Duigenan produced a published speech of Fox, which was justly considered a libel on the Irish Parliament, and desired the Commons to express their opinion of it. Grattan defended the libel, and asserted the propriety of appeals from the Parliament of Ireland to that of Great Britain.¹

At this time Fox and Grattan were acting in concert. Grattan had been instructing the English politician on the state of Ireland, and instilling into his ear his own mistaken ideas. Of all men, Grattan was the blindest to the real condition of his country. Of her situation, of her wants and of the dangers which threatened her he had

¹ *Irish Debates*, xvii., pp. 490-508.

not a conception. He was, at this period, in the hands of the Dublin leaders of the Roman Catholics, who were United Irishmen, and derived all his information from them. So much was he influenced by these men that, two months later, he introduced a plan of reform which had been approved by them, and which was wholly different from that proposed by him only three years before. In Grattan's opinion, to use his own words, Government was a malevolent power that "blooded the magistracy with the poor man's liberty, and employed the rich, like a pack of Government bloodhounds, to hunt down the poor,"¹ and the nightly murders, conflagrations and robberies of the Defenders and United Irishmen arose from "the spirit of political reformation carried to different degrees; to liberty in most instances, to ambition in others, and to power in others."² We may easily guess the nature of the instruction he conveyed to Fox.

On the 23rd of March, that is three days after Grattan had appealed to the Opposition in the Imperial Parliament, Fox called the attention of the British Commons to the state of Ireland. The speech he delivered on this occasion was principally founded on the facts and arguments furnished by Grattan.³ No speech could have been more ill-timed and mischievous, or better adapted to cause dissensions between the legislatures of the two countries. It was a direct attack upon the independence of the Irish Parliament, and bristled with misstatements, which, if the matters touched on had been in the knowledge of the speaker, would have been justly termed falsehoods. The settlement of 1782, he

¹ *Grattan's Address to his Fellow Citizens*, Dublin, 1797, p. 10.

² *Ib.*, p. 20.

³ "If the newspapers have given a tolerably fair account of my speech upon the affairs of Ireland, you will doubtless have remarked that I have proceeded principally upon the facts and arguments with which you furnished me" (Fox to Grattan, 7th of April, 1797. *Grattan's Life*, iv., p. 315).

said, had not been followed by the happy results expected from it, and this circumstance "loudly called on the British Parliament to inquire how it had not been attended by these beneficial effects". The Roman Catholics had been kept in a worse situation than they had been formerly. The discontents in the North had been caused by the pressure of the war and by abuses in the Constitution. Numerous respectable Roman Catholics had been prosecuted for high treason, with the object of convincing the general body that they were marked out as the victims of the most cruel proscriptions and oppressions. The Executive in Ireland favoured the exclusion of Roman Catholics from Corporations. Ireland was now in the same position as America was in 1774, and if her people chose to resist, a contest must ensue, the result of which would be doubtful. The character of the Northerners had been maligned; they were of the old leaven that rescued the country from the tyranny of Charles I. and James II., and defended the principles of liberty; if these principles had been carried to excess, the oppression they had suffered was some apology. They have been provoked, they have been declared out of the king's peace, and have seen their friends taken up on an accusation of high treason. Finally, the old falsehood respecting a statement made by Lord Clare was not absent. He concluded this budget of misrepresentations and encouragement to the Northern traitors, by proposing an address to the King that he would take into consideration the disturbed state of Ireland, and adopt such measures as would restore tranquillity to that country.¹

Some of these misstatements may be noticed. The Roman Catholics of Ireland, instead of being in a worse condition than formerly, were in a situation far superior

¹ *Parliamentary History*, xxxiii., p. 139.

to that of Protestant Dissenters in England. The Test Act had been repealed in their favour, except as to seats in Parliament and about thirty of the highest executive offices in the State. The Corporation Act had also been repealed in their favour. The war had brought with it no pressure on the inhabitants of the North ; on the contrary, their linen trade had nearly doubled in consequence of the annihilation, by the war, of the same manufacture in Holland and the Netherlands. It was not true that any "person of high consideration" had ever recommended a Government by corruption ; or that Government had interfered for the purpose of inducing Corporations to exclude Roman Catholics. It was shameful to justify the murders, burnings and robberies in the North by stating that they had been provoked by the disarming order, when that order had been extorted from a timid Government by outrages that disgraced that province. If, as Pitt said, the speech meant anything, it meant that the British Parliament should take up the cause of the people of Ireland against their own Parliament.

In his letter of the 7th of April to Grattan, Fox had suggested that, nothing was more likely "to give us a chance of salvation" than "a general expression on the part of the people of Ireland, of their wish for the removal of Ministers, or perhaps of Pitt personally." Before this letter had arrived in Dublin, Grattan and the Ponsonbys had managed to bring about a meeting for the purpose of petitioning the king to dismiss his Ministers. The meeting was alleged to be composed of the freemen and freeholders of the city of Dublin, but one of the Sheriffs was decidedly of opinion "that there were numbers at the meeting not entitled to vote." On the motion of a United Irishman, Grattan took the second chair, and signed the petition, the High Sheriffs having refused to do so. The petition was

stuffed with Grattan's misstatements, among which appeared the reiterated falsehood, that the corruption of Parliament had been publicly advocated.¹

On the 14th of April, Colonel Barber, with a party of soldiers, surrounded the house of one John Alexander, an innkeeper in Belfast, where two societies of United Irishmen were sitting, and arrested twenty-one of the members. Their papers, which disclosed the existence of a very formidable conspiracy, were also seized.² A few days later, the Chief Secretary delivered to the Commons a message from the Lord-Lieutenant, stating these facts, and requesting the House to take the papers into their serious consideration. He then proposed that they should be submitted to a secret committee, inasmuch as they might afterwards be required as evidence, and their publication might defeat the ends of justice. Grattan objected to the committee being secret. To commit, said he, the lives and properties of the people of Ireland to a secret committee, was in effect to put their lives and fortunes into the hands of the Minister at a time when his own misconduct was the subject of general complaint in both countries. This fustian had no effect, and a committee was appointed in such a way as to exclude all management. It was elected by ballot, each member giving in fifteen names, and the fifteen who had a majority of votes formed the committee.³ The committee not only examined the papers, but also witnesses on oath, and on the 10th of May, the report was laid before the Houses.⁴

¹ Seward's *Collectanea Hibernica*, iii., pp. 192-196.

² *Belfast Hist. Collections*, p. 462.

³ *Irish Debates*, xvii, p. 578.

⁴ Mr. Lecky says [viii, p. 31], that the Government "stated their own case" in the report of the secret committee. This remark shows the spirit in which this gentleman compiled his volumes. The report he refers to is that published in this year, 1797, by the secret committee of the Commons. The Government had nothing whatever to do with this report beyond laying the papers seized in Belfast before the House of Commons.

From these papers and the oral evidence, it appeared that the Society of United Irishmen was very completely organised. The lowest constituent part of it was the baronial committee, consisting of those members who lived in the same barony. When this committee became too numerous, it was divided into two. When a county contained three or more baronial committees, these elected members to form a county committee. If two or more counties had such committees within them, they elected members to form a provincial committee. And when two provincial committees were formed, each elected five members to form a national committee. The different committees were empowered to raise money, and distribute it in certain ways, such as purchasing arms and ammunition; supplying members who had suffered by imprisonment or otherwise, with necessaries and the means of defence; and providing for the widows and families of members. They also regulated the election of military officers, tried suspected persons, and determined their punishment even to death. Some of the papers contained accurate returns of the numbers of members, specifying the counties, towns and districts from which they came. Thus one provincial report returned the number of men furnished by the ten Northern counties at 99,411. The numbers of guns, bayonets, swords, pikes, cannon and the quantities of powder, ball-cartridges and bullets were also given. In one Belfast report it was stated that it had been made sooner than usual "on account of our friends being expected soon into Bantry," and a county committee resolved that, if any United Irishmen were on a jury which committed any prisoner for belonging to their society, they "ought to lose their existence." Orders were given to all the members, in the hopes of diminishing the resources of the State, to abstain from the consumption of excisable articles, and to

prevent the circulation of bank notes. Every effort was made to depreciate the value of Government securities ; and warnings were directed to the associates that they should conduct themselves circumspectly, lest Government should "put them down, and prevent them rising for a hundred years." Great care was taken to form the companies and battalions in such a way as that the officers and men should be mutually known to each other. Provisions were also made for the establishment of courts of law, when the revolution should begin, and for the appointment of magistrates, who were to act in concert with a revolutionary committee. These magistrates were to continue in office for six months only, except re-elected ; "but, if a revolution is accomplished, an annual election shall take place".

Two days after the appearance of this report, another from the secret committee of the House of Lords was issued. This committee also took oral evidence in addition to the examination of the papers seized in Belfast, and the evidence laid before it fully supported the report of the Commons' committee. One appalling fact mentioned in the report of the Lords' committee sent a thrill of horror through the country. It appeared that, in the event of success, it had been decided by the United Irishmen to massacre all persons who, from their principles or situation, might be deemed hostile to their Society, and that the first list of the proscribed had been calculated by one of their leaders at 30,000 persons.¹ In considering this terrible accusation we must remember that two of the chief leaders of the United Irishmen, when examined before the House of Lords in 1798, ac-

¹ "The plan of massacre seems to raise the strongest emotions of horror and detestation, and the bulk of the country are now convinced that their leaders have from the beginning deceived them in almost every particular." —Rev. Edward Hudson to Lord Charlemont (*Charlemont MSS. and Correspondence*, ii., p. 304).

knowledge that the reports of which we are now speaking were accurate. Dr. MacNeven was asked: "Were the reports of the secret committees of the two Houses of Parliament last year accurate?" His reply was: "I believe they were accurate, save that they understated the numbers of men and arms." Oliver Bond, when asked the same question, replied: "I think they were." Not one word of indignant repudiation of this horrible charge ever fell from the lips of any United Irishman when examined before either House of Parliament.¹

These reports had an excellent effect on the country, and ought to be enumerated among the causes of the failure of a great and widespread conspiracy. They completely justified the conduct of the Government, and made manifest that it was not legislation which was required, but that force alone could restore tranquillity. For the first time the full extent of the designs of the leaders of the United Irishmen were revealed to their followers. A vast number had been deluded by the generous hope of a union of all sects, and these were now furnished with sufficient reasons for withdrawing from such designs. The reports also at once divided the remainder into two parties, namely, those who had some compunctions respecting massacres and confiscation, and that party which was resolved to carry out their measures at any cost of ruin and carnage.

After the publication of the reports of these committees Grattan and the rest of the Opposition could no longer plead reason or justice for still dissenting from every measure of severity against those who had decreed a general confiscation and the massacre of 30,000 persons.²

¹ As said before, the Report of the Lords' secret committee in 1798 was published separately. It may be found among the Haliday pamphlets in the library of the Royal Irish Academy.

² "And yet this man [Grattan] has talked of consistency! When, after the report of the secret committees, he could no longer plead reason, or

Yet at this time some kind of negotiation took place between the Opposition and the United Irishmen respecting a plan of Reform such as would please the latter.¹ Accordingly, on the 15th of May, William Ponsonby submitted the scheme so agreed upon to the House of Commons in a few words, leaving its author² [Grattan] to explain and defend its provisions. Though all the United Irishmen who were examined on oath before the committee of the House of Lords, in 1798, admitted that the emancipation of the Roman Catholics had been from the first a mere pretence,³ we now find Grattan making the admission of Roman Catholics, without any test, into Parliament and the highest offices of the State, a portion of his scheme, and declaring it to be fundamental to an adequate representation. The plan, which was now laid before the Commons, was not a reform, but a complete subversion of the existing Constitution. It destroyed the whole system of representation, except in the counties, and altered the entire electorate. At one blow, it deprived all Corporations of every kind, in cities, counties of cities, towns and boroughs, which enjoyed the privilege of returning re-

justice, or expediency for his still dissenting from every measure of severity against those who had decreed a general confiscation and the massacre of 30,000, he tried to prop himself on the ground of consistency. But does he feel it no violation of consistency to *flatter* and *defend* those traitors to whose suppression he was once ready [had it been proved necessary] to sacrifice even the attempt at moderate reform?" (Alexander Knox, *Political Essays*, p. 166).

¹ Compare the younger Grattan's hesitating statements on this matter with the positive assertion of Thomas Emmet. *Grattan's Life*, iv., p. 285; *Pieces of Irish History*, p. 188; and his statements in Dowdall's letter to Grattan, *Grattan's Life*, iv., p. 409.

² As to this point see *Grattan's Life*, iv., p. 409.

³ "As to Catholic emancipation [as it is called], it was admitted by them all [Arthur O'Connor, Thomas A. Emmet, William MacNeven and Oliver Bond] to have been a mere pretence from the first establishment of the Irish Union" (Report from the secret committee of the House of Lords, 1798).

presentatives to Parliament, of their franchises; and disfranchised all freemen in them.

In imitation of the scheme of Reform proposed by the United Irishmen, the whole kingdom was to be divided into districts, each district to contain 5,000 houses.¹ As by the hearth-money books, the whole country was computed to contain 700,000 houses, counting every cabin a house, it would be divided into 140 districts, each of which was to return two representatives to Parliament, amounting in all to 280 members. The county representation and mode of election were not to be altered, so that the whole number of members in the House of Commons would amount to 344; in other words, an addition of forty-four representatives was to be made to that House. To get rid of the influence of property, no man, who had houses or lands in different parts of the country, was allowed to vote in more than one district; this was also taken from the plan of the United Irishmen, which directed "that no person should have a right to vote in more than one electorate and at the same election". The second paragraph of Grattan's scheme declared, "that it is an ancient and undoubted right of the people of Ireland to be fully and fairly represented in Parliament". To secure this right to the people, an enormous expansion of the electorate was devised. Not only forty-shilling freeholders, but lessees for years, householders, freemen by birth, marriage or election, and tradesmen were to vote for the 280 representatives of the new districts. This alteration of the electorate was calculated in a very able book,² which will be mentioned

¹ Compare this provision with that mentioned in the first paragraph of the plan of the United Irishmen: "That the nation, for the purpose of representation solely, should be divided into 330 electorates, formed by combinations of parishes, and as nearly as possible equal in point of population".

² Duigenan's *Answer to Grattan*, p. 273.

later on, as certain to raise the number of electors from less than 80,000 to more than 700,000. The Irish Commons had already complied with the wishes of moderate reformers by adopting various laws tending to assimilate the Irish to the English Constitution, such as the Place Act, the Pension Act, and the abolition of the Hereditary Revenue, but as they were resolved not to commit the folly of "unroofing their house in a hurricane," Grattan's plan was rejected by 170 to 30.¹

As was said in the House, this scheme was the crudest and most delusive of all the projects of Reform which had been devised by man. It was not only destructive of the existing Constitution, but was absurd and impracticable. Local population is of a fluctuating nature, and changes in it are constantly taking place. The number of inhabitants in cities, towns and villages, varies continually. As the kingdom was to be divided, not on geographical lines, but by the number of houses, the limits of each district would be constantly varying according to the changes in its population. Let us suppose the population of one district, surrounded by others, to have increased or diminished by one-half, or by a lesser proportion. How could the limits of this district, after such a change, be ascertained? Were the districts, which surrounded it, to be pushed in and pushed out according to the decrease or increase of the population in the enclosed district? And was this compression or dilation to be progressive, and to be felt in all the districts in the kingdom? In addition to this difficulty, the want of defined and certain limits would give rise to perpetual disputes and quarrels at every election, and with the shifting of the districts, would create inextricable confusion.

¹ *Irish Debates*. xvii., pp. 530-570.

What Grattan's object was in presenting this democratic plan to Parliament, when he knew it would not be listened to, it is impossible to say. That he was sinning against his convictions, we need no other proof than his own declarations only three years before. When the danger from the United Irishmen was comparatively trifling he had denounced their plan of Reform, because it added very largely to the electorate, and had laid great stress on the fact that more than one-half of the people of Ireland were exempted, on account of their poverty, from paying hearth-money—a tax of one halfpenny a week.¹ Now, when the United Irishmen had raised a revolutionary army of 100,000 men, and had decreed a general confiscation and the massacre of 30,000 suspects, he was acting in concert with these traitors, and proposing a plan of reform similar to that which he had denounced before his great disappointment in 1795. In his speech on the present occasion, he stated that the Opposition had sent the plan to persons who were much in the confidence of the people, and that it had been approved by them. He also read to the House a most insolent extract from what he described as “a paper signed by nine hundred persons, considerable men of business and Northern merchants,” declaring, that the imperfect representation was the cause of the present discontent, and that they would persist in the pursuit of Reform until a plan satisfactory to them was adopted. This language, and the remarks of the younger Grattan on the subject, leave no doubt that the paper came from the United Irishmen.²

¹ *Irish Debates*, xiv., p. 80. The tax on a house with only one hearth was two shillings and twopence annually.

² The younger Grattan says that certain resolutions, passed at a meeting in Belfast, led to the introduction of this plan of Reform, but he does not add that these resolutions were framed and passed by the United Irishmen (*Grattan's Life*, iv., p. 284). As to how these resolutions came to be passed at all, see *Belfast Historical Collections*, pp. 450-455; and also

Though Mr. Lecky does not venture to give the full details of this plan, he tells us that it was "very moderate".¹ But let us hear the opinions of men who knew what they were speaking about; the one—the elder of the only two statesmen the Irish Parliament ever produced—the other, a very remarkable man, whose name and memory are still fresh among us. "Upon this plan of reform," said Lord Clare, "thus embracing the active citizens of Ireland, I shall only observe that the members of the rebel Irish Directory, Messrs. Arthur O'Connor, William James Mac-Neven, and Thomas Emmet, who were examined before the last secret committee of this House, did declare on their oaths the perfect satisfaction which it gave to them and to the other leaders of the late rebellion; and certainly, most unreasonable traitors they must have been if it did not satisfy them to their hearts' content; in truth, there is scarce a shade of difference between this plan of reform and one which had been just before promulgated under the authority of the rebel Union."² Alexander Knox termed this plan of the Opposition "that late proof of vile succumbency to even the vulgarities of democracy, their *new-modelled reform bill*, an instance of departure from their own former principles and professions, at once so absurd, so mean and so hypocritical, that the mover of such a bill, in order to be in character with his work, ought previously to have been *unpowdered* and *cropt*, and have named himself *Egalité*."³

A. Knox's address to the United Irishmen who joined in these resolutions *Political Essays*, pp. 124-136.

¹ "They [the Government] had resisted the very moderate reform bills of Ponsonby and Grattan" (vii., p. 363). The details he does give are entirely incorrect. He makes the districts to contain 6,000 houses, and creates £40 freeholds for the occasion (*Ib.*, p. 324).

² Speech in the House of Lords, 10th February, 1800. To this speech, when published separately, was annexed the plan of reform proposed by the United Irishmen.

³ *Political Essays*, p. 192.

Towards the end of his speech, Grattan announced that he and his friends would retire from Parliament, as they had "no hopes left to persuade or dissuade". Accordingly, he, the Ponsonbys, Lord Henry Fitzgerald, Curran and a few others, withdrew from the House. This performance was eminently unreal, and was carried out in imitation of Fox, who, however, had *not* retired from Parliament, but merely suspended his attendance there. The plan had been pre-arranged, else no one member of the Opposition could have spoken of the general intention. This proceeding shows that the introduction of this revolutionary measure was a mere stage scene played by the Opposition. They had brought in their bill, without hopes of its passing, to please the United Irishmen by its democratic reform and the Roman Catholics by emancipation, and had, at the same time, determined to retire in a body as a protest against the measures of Government.¹

¹ The two Ponsonbys reappeared in the next Parliament, which was summoned for the 21st of August, 1797, but did not meet until January, 1798.

CHAPTER XXV.

AN ALLIANCE PROPOSED BY THE UNITED IRISHMEN TO THE ORANGEMEN—SECOND PROCLAMATION OF GENERAL LAKE—DEFEAT OF THE UNITED IRISHMEN IN THE NORTH—THE MUTINIES IN THE FLEETS—GRATTAN'S ADDRESS TO HIS FELLOW CITIZENS—THE ADDRESS OF BOTH HOUSES OF PARLIAMENT AND THAT OF THE CORPORATION OF DERRY TO THE LORD-LIEUTENANT.

ABOUT this time, that is, the spring of 1797, the Orangemen had greatly increased their numbers. The nobility and gentry of the country were flocking into this living protest against disloyalty and rebellion.¹ Even in Belfast they had established themselves, and on the 19th of June of this year published a declaration that they would support with their lives and fortunes the existing Constitution and the succession to the throne.² A very numerous lodge, consisting of noblemen and gentlemen, was formed in Dublin during the same month.³ The United Irishmen, fearing their growing strength, desired to effect a union with them. With this view, they proposed to the Orangemen of Armagh to contract an alliance with them. This proposal is curious reading. It commenced with a condemnation of the leaders

¹ Mr. Lecky's accounts of the Orange system are very inconsistent. In one place (vii., p. 177) he says: "It was at first a league of mutual defence, binding its members to maintain the laws and peace of the country, and also the Protestant 'Constitution' ". But he soon changes his mind, and at page 308 his words are: "At first, as we have seen, Orangism was simply a form of outrage."

² *Belfast Historical Collections*, p. 475.

³ Report of the select committee on Orange lodges, etc., p. 252.

who had led the Orangemen astray, and rioted themselves in luxury. Those leaders had encouraged religious dissensions in order to turn attention from their own misdeeds. "Have not the Ministry," it went on, "whose creatures your leaders avowedly are, overwhelmed us with debt and taxes in support of an unjust war, in which Ireland has no natural interest? They absolutely resist a Reform in Parliament; because, if the people were fairly represented, their abominable system of corruption must be annihilated. Consider now, on the other hand, what are the objects of United Irishmen; union, peace, love, mutual forbearance, universal charity, and the active exercise of every social virtue. . . . Already, we have forgiven you the injuries you have committed against us. We offer you the right hand of fellowship, and entreat you to co-operate with us in that great work, which we are able to effect whether you aid us or not."

This proposal, coming from men who had exhausted slander in defaming the most loyal body in the kingdom, and who had fabricated and disseminated through the country false oaths represented to have been taken by Orangemen for the extermination of the Roman Catholics,¹ was rejected with scorn. The answer of the Orangemen is dated the 21st of May, six days after Grattan's revolutionary reform had been introduced into the House of Commons. "Your plans and schemes are now before the select committees of the Lords and Commons, and such measures, we trust, will be adopted as will purge the land of your ringleaders. In future, we desire ye will not call us friends as you have done in your last letter. We will not be your friends until you forsake your evil ways, and until we see some mark of contrition for your past con-

¹ Report of the secret committee of the House of Commons, 1798.

duct ; neither do we wish to hold any intercourse with you, for evil communication corrupts good morals as well as good manners. We are satisfied in the enjoyment of what we earn by our honest industry, and neither envy those above us, nor desire to take from them a single farthing of their property ;¹ we wish you to be of the same mind.”²

The proclamation, issued by General Lake on the 13th of March, had but little effect. Of the quantity of arms which appeared, by their own reports, to be in the hands of the United Irishmen, comparatively few were obtained by the search then made in Ulster. In carrying this search into execution “no acts of severity whatever were used by the military towards persons concealing or refusing to give up their arms ; but, on the contrary, the search for the arms of the disaffected was conducted with all possible mildness ; and where persons voluntarily brought in their arms, certificates were granted by the magistrate, and assurances given to the people that their arms would be returned as soon as the country was restored to tranquillity”.³ The usual effects of attempting to conciliate the irreconcilable followed. Such gentleness only encouraged the United Irishmen, and, in the month of April, acts of violence of

¹ Report of the select committee on Orange lodges, pp. 15-17.

² On the 25th of February, 1798, the Orangemen presented an address to the Lord-Lieutenant, asserting their attachment to the King and the Constitution in Church and State, and their gratitude for the blessings they enjoyed under the Government. “We declare most solemnly,” the address proceeded, “that we are not enemies to any body of people on account of their religion, their faith or mode of worship. We consider every peaceable and loyal subject our brother, and they shall have our aid and protection. Anxious to co-operate in preserving internal tranquillity and repelling invasion, should our foreign enemies be desperate enough to attempt it, we take this opportunity of declaring our readiness to undertake any duty in obedience to the commands of his Excellency, the Lord-Lieutenant.” This address was signed by ten persons on behalf of some thousands (Report of the select committee on Orange lodges, p. 10).

³ Report of the Commons' secret committee, 1798.

every description became more frequent, and were at the same time so systematically directed to prevent the course of justice against the United Irishmen, that the Crown prosecutions in the disturbed counties proved, from their failure, an encouragement rather than a restraint upon the treasonable projects of that party.¹ These outrages, the failure of the former proclamation, and the report of the secret committee, which disclosed the vast extent of the conspiracy, necessitated a fresh proclamation which appeared on the 17th of May. This proclamation stated that the United Irishmen had made secret arrangements for raising, arming and paying a disciplined force; they had frequently assembled in large bodies and plundered of arms the houses of many loyal subjects; they had attempted to disarm the yeomanry, and had fired upon several bodies of the King's forces; the civil power had proved unequal to suppress the conspiracy and to protect the lives and properties of the loyal subjects; it was therefore necessary to employ the military force for the immediate suppression of the rebellious and traitorous attempts made against the peace and dignity of the Crown and the safety of the King's loyal subjects; orders were given to all military officers to use their utmost endeavours in suppressing all traitorous, tumultuous and unlawful assemblies, and in discovering offensive weapons and ammunition. The proclamation also offered a free pardon to all persons who had joined the conspiracy, with the exception of those who had been guilty of certain enumerated crimes, provided they surrendered themselves to a magistrate before the 24th of June, took the oath of allegiance, and entered into recognisance to keep the peace.²

On the other hand the United Irishmen were not idle.

¹ Report of the secret committee of the House of Commons, 1798.

² This proclamation is Appendix No. 10 to the Report of the Secret Committee of the House of Commons, 1798.

They issued a "Caution to the Brethren"¹ not to accept bank-notes, for "when the Government *goes down*, these fine notes of theirs with stamps of *hundreds and thousands* upon them, will not fetch *a penny a pound* at a snuff-shop." They warned "the landed and monied interests of Ireland" against purchasing the quit-rents which the Chancellor of the Exchequer proposed to sell, as "no such fraudulent transaction, consuming by anticipation the resources and future revenues of the nation, would be sufficient to stand good in the event of a revolution and a free legislature."² And they also published an address to their own³ members, recommending perfect sobriety; "by abstaining totally from the use of *spirituous liquors*, you will destroy the excise, which is the only branch of revenue remaining, from which is produced *the principal strength of government*." In April of this year, they sent a Dublin attorney, Edward John Lewins, to France, to be their accredited agent, resident in Paris, in order to establish a regular communication with the French Directory. This agent was instructed to request from that body a force not exceeding 10,000 nor less than 5,000 men, with 40,000 stand of arms, and a proportionate supply of artillery, ammunition, engineers and experienced officers.⁴ Notwithstanding the demand for foreign aid, a plan was seriously discussed about this time, among the leaders of the United Irishmen, then assembled in Dublin, for commencing a general rising without waiting for French assistance. This plan did not meet with the approbation of the Dublin part of the executive, and was therefore given up. The Northerners then in Dublin, disgusted with the cowardice of the Leinster delegates, proposed to act

¹ Appendix, p. 28 to the Report of the Secret Committee of the House of Commons, 1798.

² *Ib.*

³ Appendix, p. 25, *Ib.*

⁴ Report of the secret committee of the House of Commons, 1798.

without their approbation, to seize upon the Castle, ordnance stores, magazine, etc., and to trust to the mob of Dublin for assistance ; but from some additional military precautions, at that time adopted in the garrison, this plan was abandoned.¹

Though the Leinster executive discouraged all rash attempts without the assistance of France, and though assurances had been received of the preparations at Brest and in the Texel for an invasion of Ireland, an active effort was made, after the issue of the proclamation of the 17th of May, to produce a general insurrection throughout Ulster, and the plan of attack for each county was arranged. The intention became known, and was defeated by the military measures taken by General Lake. A partial rising did actually take place near the Mourne mountains in the county of Down; but the insurgents, finding themselves unsupported, gradually melted away, and many of their principal leaders were obliged to fly.²

In June, the executive of the United Irishmen, apprehensive lest a premature insurrection in the North, before the arrival of the succours from France, might disappoint their prospects, determined to send a second agent to Paris, to press with increased urgency the immediate despatch of the promised assistance. Accordingly, a most confidential member of the body, Dr MacNeven, who had hitherto acted as secretary to the executive, was sent on this mission. MacNeven left Dublin in June, and presented himself with his letters of credence to the French Minister at Hamburg. Meeting with some difficulty in obtaining a passport to Paris, he delivered to the Minister a memoir to be forwarded to the French Directory. Soon after the delivery of this memoir, MacNeven obtained a passport and proceeded directly

¹ Report of the secret committee of the House of Commons, 1798.

² *Ib.*

to Paris, where he had several conferences with some of the French Ministers, and presented a second memoir, urging them to invade Ireland and to continue the war with Great Britain until Ireland should be separated from the British Crown.¹ MacNeven, when examined on oath, the 7th of August, 1798, fully detailed the contents of these memoirs.²

The first memoir stated that the appearance of the French in Bantry Bay had encouraged the least confident of the Irish, and proved the facility of an invasion; that Oyster Haven was the best place of debarkation if the object was to take Cork; that the United System had made rapid progress in the county of Cork, and the town of Bandon had become a second Belfast; that 150,000 United Irishmen were enrolled in Ulster, a great part of them regimented, and a third part ready to march out of the province; it detailed the number of the King's troops in Ulster, and recommended Lough-Swilly or Killybegs as favourable places for landing in the North. It mentioned that the counties of Tyrone, Fermanagh and Monaghan were among the best affected to the cause, and that the counties of Louth, Armagh, Westmeath, Kildare, King's County and Dublin were the best organised; that the priests had ceased to be alarmed by the irreligion of the French, and were well affected to the cause, and that some of them had rendered great service in propagating with discreet zeal the system of the Irish Union; it engaged to reimburse the French the expenses of the former expedition, and of any other which might be undertaken; the number of troops demanded was not more than 10,000, nor less than 5,000, together with a large quantity of artillery and ammunition, a numerous staff and body of engineers, and as many Irish

¹ Report of the Lords' secret committee, 1798.

² Appendix, No. iii. to the Report of the Lords' secret committee, 1798.

officers as possible; it stated that a brigade of English artillery had been sent over, and that large forces would follow if Ireland were invaded; it recommended that the French general on landing should publish a proclamation declaring that the French came as allies and not to conquer the country; and that the French Directory should make the separation of Ireland from Great Britain an indispensable condition of the treaty of peace then pending at Lisle, as such a proceeding would encourage the Irish in their efforts to achieve a revolution. Finally, it gave an assurance that the Irish militia would desert to the French, if they landed in force.

On his arrival in Paris, MacNeven presented a second memoir to the Directory, again urging the necessity of an immediate invasion, and of making the independence of Ireland an indispensable condition of any treaty of peace. This agent was also instructed, as Lewins had been before, to negotiate a loan of half a million, or at least of three hundred thousand pounds for the immediate use of the United Irishmen, on the security of the lands of the Church and the property of all those who should oppose the measures of the party. If France refused to advance so large a sum, MacNeven was directed to address himself to the Court of Spain, but in this object he failed completely.¹

But all the efforts of the United Irishmen in the North were defeated by the wise action of Government. The attempt to excite an insurrection in June, which had been foiled by the military precautions of General Lake,² proved

¹ Examination of MacNeven, Lords' secret report, Appendix III. Report of the secret committee of the House of Commons, 1798.

² Even the blameless hero of Delhi and Lasswaree, who was afterwards so beloved by his soldiery in the East as to be called their father, cannot escape the censure of Mr. Lecky. Lake disarmed the United Irishmen, and was therefore "associated with the abuses which Abercromby had tried to check" (vii., p. 438).

that the former search for arms had been comparatively ineffectual. More vigorous measures, yet absolutely necessary for the public security, were resorted to under the authority of the proclamation of the 17th of May; while, at the same time, the offer of pardon contained in that proclamation was extended to the 24th of July.¹ The effects of these measures were immediate and very extraordinary. The appearance of the military in every part of the province in their search for arms put an end to the terror which had long silenced the voices of the loyalists. The deluded, the intimidated, and all those who had been awakened out of their dream of Union by the schemes of confiscation and massacre, rejoiced to see the door opened for their escape. Immense quantities of arms were seized or delivered up voluntarily throughout the North. The penitent flocked in by thousands to take the oath of allegiance. The magistrates could hardly find time to administer the oath.² In Belfast, they were obliged to sit every day for this purpose.³ A sudden and astonishing reaction took place in the North. Outrage ceased, and public confidence was so far restored throughout Ulster that the laws were administered with effect in the different counties during the autumn.⁴ The manufacturing industry was restored to its usual vigour during the remainder of the year. The civil

¹ Renewed proclamation, 22nd June, 1797. Report of the secret committee of the House of Commons, 1798, Appendix, p. 13.

² "Thousands are yet unsworn for want of time," Rev. Edward Hudson, from Ballymena in the county Antrim, 25th of June, to Charlemont (*Charlemont MSS.*, ii., p. 301).

³ *Belfast Historical Collections*, p. 474.

⁴ Mr. Lecky tells us that "acts of illegal, criminal, shameful and exasperating violence were at this time committed in Ireland with the full sanction of Government" (vii., p. 418). Such an assertion ought never to have been made save on the strongest and clearest evidence. Yet no authority is cited for it. There is no reason whatever to believe that this statement is correct.

authority was fully adequate to preserve the public peace, and all military interference was generally discontinued.¹

The success of the Government greatly discouraged the United Irishmen. The inferior societies discontinued their meetings. Several counties for some months refused to send delegates to the provincial committee; little money was collected; and the people applied themselves to their ordinary occupations. Though some of the higher committees were kept alive by the exertions of active leaders, they could not revive the inferior societies, or make any impression on them till the insurrection in Leinster was on the point of breaking out. Even then, the feebleness of the efforts made in the North manifested the good effects of the measures taken by the Government in this year, 1797. During the rebellion, the Presbyterians had an opportunity of seeing how the Roman Catholics observed their solemn promise as United Irishmen, "to form a brotherhood of affection". They learned too late, as James Dickey, the leader of the Antrim insurgents, declared before his execution, that if they had succeeded in their designs, they would have had to fight a second time for their own safety.² The lesson sank deep into their minds. Shocked by the ferocious bigotry of the Wexford priests and peasants, they renounced an association which had proved so delusive and so disastrous. The insurrection of Emmet, in 1803, afforded them an opportunity of showing the great alteration which had taken place in their political sentiments. A numerous meeting of the inhabitants of Belfast expressed "their horror at this nefarious attempt to disturb the peace of Ireland". Two volunteer corps, whose officers were appointed by the Lord-Lieutenant, were immediately raised, and many of those who had formerly been active

¹ Report of the secret committee of the House of Commons, 1798.

² *Belfast Historical Collection*, Preface.

agitators appeared in the ranks.¹ Since that period the Presbyterians have been among the firmest supporters of the close connection between Great Britain and Ireland, and of the unity of the empire.

Defeated in the North, the leaders of the United Irishmen directed all their exertions to the propagation of their principles throughout Connaught and Munster. In Connaught, they made but little progress, for the vigorous measures of Lord Carhampton and of the magistrates of that province were not forgotten. But in Munster their success was great, and in a few months the same outrages and enormities which had disgraced the Northern province were common in Munster. And it was observed "that in addition to the acts of violence usually resorted to by the party for the furtherance of their purpose, the ancient practice of burning the corn and houghing the cattle of those against whom their resentment was directed, was revived and very generally practised in the counties of Waterford and Cork".²

Though Grattan asserted that France had made "gigantic encroachments on the empire," and that the King of England was at the feet of France,³ Great Britain was still mistress of the seas. She had destroyed the commerce of France, Spain and Holland, annexed to her empire the Cape of Good Hope and Ceylon, and was in possession of the whole trade with the East. Three powers, France, Spain and Holland, were combined for the purpose of disputing her maritime supremacy, but she defeated all their efforts. During the summer of this year, the French made extensive preparations for the invasion of Ireland, and the Dutch fleet in the Texel was ready to join in the project. Earlier

¹ *Belfast Historical Collection*, Preface.

² Report of the secret committee of the Commons, 1798.

³ In his *Address to his Fellow-Citizens of Dublin*, 1797.

in the year, a powerful Spanish fleet, numbering twenty-seven sail of the line and ten frigates, had been ordered to unite with the French and Dutch. On the 14th of February, Sir John Jervis, with fifteen ships of the line, attacked the Spanish fleet off St. Vincent's, defeated it with the loss of four battleships and 3,000 prisoners, and drove the rest into Cadiz. But about a month later, the greatest danger which ever threatened Great Britain made its appearance. A mutiny broke out in the Channel fleet, stationed at Spithead. An oath, to support the cause in which they were engaged, was administered to every man in the fleet of sixteen men-of-war. But wise concessions put an end to this mutiny, and on the 17th of May the fleet put to sea.

A few days later a more formidable mutiny broke out among the ships at the Nore. Notwithstanding the full extension to them of all the benefits which had been accepted with gratitude by the fleet at Spithead, the mutiny spread, and the mutineers committed several acts of violence against merchant vessels. Pitt at once brought in bills to provide a more effectual punishment for those who should excite mutiny in the navy, and to prevent all communication with the ships while they continued in a state of mutiny. The ships gradually returned to their duty, and on the 30th of June discipline was restored.

It was afterwards discovered that this latter mutiny was largely owing to the intrigues and devices of the United Irishmen. There were then great numbers of Irishmen in the navy, many of whom were disaffected. The oaths which had been administered to the crews of the ships at the Nore show that the United Irishmen had been busy in the fleet. One of these oaths was "to be United Irishmen equal to their brethren in Ireland, and to have nothing to do with the King or his Government". Another was, "I swear to be true to the free and United Irish, who are now

fighting our cause against tyrants and oppressors, and to defend their rights to the last drop of my blood, and to keep all secrets; and I do agree to carry the ship into Brest the next time the ship looks out a-head at sea, and to kill every officer and man that shall hinder us, except the master". The mutineers acted in the expectation of assistance from France, and with the express intention of co-operating for the expulsion of the Protestants from Ireland, and the establishment of a Roman Catholic Government. It was also a part of their plan to murder their officers, seize the ships and carry them to France or Ireland.¹

During all this critical time the French and Dutch fleets took no advantage of the mutiny. The French were not ready, and the Dutch were delayed by some negotiations with the French Directory. When the Dutch fleet was about to sail for Ireland, the wind became unfavourable and remained so for a considerable period, insomuch that it was necessary to land the troops, the provisions having been exhausted. Finally, the Dutch fleet, contrary to the opinion of its admiral, as is generally believed, was, at the instance of the French Government, obliged to put to sea,² which led to the brilliant and decisive victory of Camperdown, on the 11th of October, 1797. The Dutch fought well, but they lost nine out of sixteen men-of-war, and their admiral was taken prisoner.³

The United Irishmen did not fail to borrow the assistance of a most wicked and licentious press. The *Northern Star* had been established immediately after the foundation of their first society, for the purpose of advocating and

¹ Report of the secret committee of the British Commons, *Parliamentary History*, xxxiv., p. 579.

² Report of the secret committee of the Irish Commons, 1798.

³ *Tone's Life*, ii., p. 452.

spreading their principles. This paper contributed largely to the extension of treason in the North. For six years it misrepresented every act of Government, encouraged disaffection, and from disaffection led the way to treason. On the 15th of May, four men of the Monaghan regiment of militia, then stationed in Belfast, were tried for exciting a mutiny in the regiment, and sentenced to be shot.¹ The unfortunate men, when kneeling on their coffins, declared most solemnly that they had been seduced from their allegiance principally by reading the treasonable publications in the *Northern Star*, and earnestly exhorted their fellow soldiers never to read that flagitious paper. These dying words, and the view of the bodies of their unhappy comrades, made such an impression upon the men that, on their return to barracks, they drew up a declaration of their sincere repentance and a promise of their future loyalty, in which they ascribed the seduction of their unfortunate comrades and of many of themselves to the treasonable artifices of the inhabitants of Belfast. This declaration was taken to the two papers printed in the town. One, the *News Letter*, published it, but the *Northern Star* rejected it with expressions of contempt, though the men offered to pay for its insertion. This conduct so incensed the soldiers that, on the following night, some of them stole from their quarters, broke into the printing house, and demolished the press and types.² This fact, like every other in Irish history, has been misrepresented, and the destruction of the *Northern Star* has been attributed to the Government.

In the summer of this year, 1797, an infamous paper called the *Union Star* was privately printed and circulated.

¹ *Belfast Historical Collections*, p. 472.

² Duigenan's *Answer to Grattan*. See also Lord Clare's speech on Lord Moira's motion, 19th February, 1798.

It was printed only on one side, to fit it for being pasted on walls. It inculcated insurrection and assassination in direct terms, and contained a description of the persons by name who were held out as objects of assassination on account of their loyalty or the performance of their duty. Each number commenced with the following words: "As the *Union Star* is an official paper, the managers promise the public that no characters shall be hazarded, but such as are denounced by authority, as being the partners and creatures of Pitt, and his sanguinary journeyman, Luttrell. The *Star* offers to public justice the following detestable traitors as spies and perjured informers. Perhaps some arm more lucky than the rest may reach his heart, and free the world from bondage". Then followed a list of the proscribed.¹

In September of this year, the leaders of the United Irishmen established another paper in Dublin called the *Press*. Its proprietors were Lord Edward Fitzgerald and Arthur O'Connor. In this paper "every species of misrepresentation and sophistry was made use of to vilify the Government, to extend the Union, to shake the connection with Great Britain, to induce the people to look to French assistance, to exaggerate the force and numbers of the disaffected, and systematically to degrade the administration of justice in all its departments".² In December of this year, its printer and nominal proprietor was convicted of a seditious libel published in one of its numbers, and was sentenced to stand in the pillory for an hour and to be imprisoned for two years.³ At last the Irish Government

¹ Report of the secret committee of the House of Commons, 1798. Many extracts from the *Union Star* are given in the twenty-seventh Appendix to this Report.

² Report of the secret committee of the Commons, 1798.

³ *State Trials*, xxvi., pp. 901-1018.

plucked up courage, and on the 6th of March, 1798, this paper was suppressed.

On the 11th of July, 1797, the Parliament was dissolved and a new one summoned. Grattan seized the opportunity of publishing an address to his fellow citizens of Dublin.¹ This was a pamphlet of twenty-nine pages, closely printed, and was industriously circulated both in England and Ireland.²

No such farrago of treasonable promptings, rancorous libels against the Governments of both countries, falsehood, mendacious misrepresentations of history, and bombastic metaphors was ever written by a sane man or escaped the due punishment of law. In this address Grattan abandoned all decency, and exhibited what effects the mad rage of disappointment, measureless vanity, and profound ignorance of the constitution and laws of Ireland could produce.

A few quotations will show us the nature of this criminal production. In the beginning of it, he asserted that the Minister of the Crown had endeavoured to make the King in Parliament everything, and to work the people completely out of the House of Commons, and that "a Minister guilty of such a crime was as much a traitor to the Constitution as the People would be to the King, if they should advance in arms, and place their leader on the throne—more guilty in equity and justice—because in them it would be only rebellion against their creature, the King, but in the other it would be rebellion against his creator, the People". In this confused sentence, *other* does

¹ *The Right Honourable Henry Grattan's Address to his Fellow Citizens of Dublin.* Dublin, 1797.

² Mr. Lecky says "Grattan refused to stand" for the new Parliament (vii., 416). Grattan was not asked by any constituency to stand, and, therefore, did not refuse. He did not seek to re-enter Parliament, because he knew that with the Protestants of Ireland he was most unpopular, and that his influence in the Commons was gone for ever.

not mean the Minister but the King, whom he describes as created by the people. Very strange arguments might be deduced from this nonsense: for example, as the creator cannot commit rebellion against his creature, no act done by the people against the King could amount to rebellion; and as a creature can have no rights against his creator, the people might annihilate the King at their pleasure. He justified the nightly murders, burnings and robberies of the United Irishmen and Defenders by ascribing them to political motives; "Whatever be the crime of the present spirit, it is not the crime of theft—if so, it were easily put down; no, it is a political not a predatory spirit; it is the spirit of political reformation carried to different degrees; to liberty in most instances—to ambition in others—and to power in others; and even in these cases where charged to be carried to confiscation,¹ it is evident from the charge itself, that confiscation looks to political vengeance not private plunder". And again, "So here there may be conspiracy; there may be republicanism; there may be a spirit of plunder mixing in the public cause—but it is a public cause; and let no man persuade you that it is not the cause of liberty on one side and tyranny on the other". He described Great Britain as having fallen very low: "It is now sixty years since the adoption of the project to supply in corruption what the chief magistrate lost in prerogative;—the loss of thirteen provinces; of £120,000,000 to lose these provinces; the loss of our status in Europe; the loss of £130,000,000 to lose that status—to place the Crown of England as low in Europe as in America, and to put France at the head of Europe, instead of Great Britain, while her people crouch under a load of debt and taxes without an empire to console or a Constitution to cover them—has been

¹He calls the robberies of the United Irishmen and Defenders "confiscation".

the working of that project. It has worked so well as to have worked the people out of their liberty, and his Majesty out of his empire; to leave him as little authority in Europe as his people in Parliament; and to put the King at the feet of France, as the people are put at the feet of the King; public credit has also fallen a victim to this its success, its last great conquest after liberty and empire." Having pointed out the weakness of Great Britain and the superiority of the French, who had lately attempted an invasion of his country, he warned the Irish loyalists against supporting Great Britain in case of a rebellion. "We saw in the American revolution, that a people determined to be free cannot be enslaved; that British government was not equal to the task, even in plenitude of empire, supported by the different governments of the provinces, and by the sad apostacy of the hapless loyalist; that loyalist is a lesson to the rich and great to stand by their country in all situations—and that in a contest with a remote court, the first post of safety is to stand by the country, and the second post of safety is to stand by the country, and the third post of safety is to stand by the country". He declared that the Irish Parliament, or as he called it, a borough Parliament, had been the cause of all the evils which had affected the country since the reign of James I., and that it had never behaved well except in the short interval, 1779-1782, and then only "because Parliament was at those moments in contact with the people". He accused the Government of making the sad experiment "to blood the magistracy with the poor man's liberty, and employ the rich like a pack of bloodhounds to hunt down the poor," and declared that the Minister acted on the principle of bribing the rich and oppressing the poor. "No! no! no! The half-million, said the Minister; that is my principle of attraction. Among the rich I send my half-million, and I despatch my coercion

among the people! His devil went forth. He destroyed liberty and property; he consumed the press; he burned houses and villages; he murdered and he failed". Throughout this revolutionary rant, we find much figurative nonsense, as "a naked man oppressed by the State is an armed post"; the principle of self-legislation¹ "baptised with royalty the House of Hanover, when the people stood sponsors for their allegiance to the liberty of the subject". "Kings are but satellites, and your freedom is the luminary that has called them to the skies". Reform is "a principle of attraction, about which the King and people would spin on quietly and insensibly in regular movements, and in a system common to them both".

We cannot read this wicked and shameful trash without asking in what respect did Grattan differ from a United Irishman. While in Parliament he had flattered those traitors, and compared them to a persecuted people conducted through the wilderness by Providence, and now he palliated their crimes by attributing them to political motives.² He had opposed, and in this address he made a grievance of, every measure intended for their repression. He had given up his own plan of Reform, and adopted another which had been sanctioned by their approval.³ Like them, he had

¹ Yet a very short time before the publication of this address, Grattan had argued for giving up self-legislation, and allowing appeals from the Parliament of Ireland to the British House of Commons. He forgot that he had received £50,000 for asserting the independence of the Irish legislature.

² "Grattan," says Mr. Lecky, "had, at no period of his life, any sympathy with those politicians who look with indifference on outrage and crime, or imagine that ordinary remedies are sufficient to meet extraordinary diseases" (vol. vii., p. 197).

³ "He [Neilson] also stated that the plan of Reform prepared by you (called Mr. Ponsonby's) would have satisfied the North at the time. That the Opposition then had a right to think they had the support of the people, as several copies of it were sent to the different leaders and influential persons in Leinster and Ulster, in order to receive their alterations, for

attempted to establish a revolutionary democracy under the mask of a Reform, which would have granted the elective franchise to the beggary of the kingdom. Like them also he hated England and magnified the resources and successes of an enemy, whose object was known to be the invasion of Ireland and the conquest of Great Britain. By his perpetual reference to the American War, and the loss of thirteen provinces, he pointed out the impotence of Great Britain to subdue rebellion, and encouraged resistance to the Government. His hatred to monarchy appears very plainly in his plan of Reform, which would have totally excluded the influence of the Crown, and also in this address. Throughout the latter, all the Kings before the present were represented as oppressors, and the reigning sovereign was spoken of in extremely indecent terms. He was described as the creature of the people and an absentee; he was at the feet of France and his Cabinet was a "humiliated and tame tyrant". His court was a "foreign" and "remote" court; and the influence of his Cabinet, that is, the influence which the Constitution gives the King in Parliament, was a "foreign yoke". Repeating his old falsehood that the only opposition to Roman Catholic emancipation came from the King, Grattan declared "that the capacities of three-fourths of the people should not be made a personal compliment to his Majesty".

In the following year, when it became known that Grattan had received visits from United Irishmen immediately before the rebellion broke out, and that one of them had pressed him to join their conspiracy—the concealment of which fact amounted to misprision of treason,¹

the purpose of incorporating them into a general plan, which plan, so altered, they returned to you" (Dowdall to Grattan, *Life*, iv., p. 409).

¹ By the Insurrection Act, the concealment of a request to take an illegal oath was felony without benefit of clergy.

Grattan's name was struck off the list of Privy Councillors ; he was disfranchised by the corporation of Dublin, by the guild of merchants, and the corporation of Derry ; and his picture was taken down from the walls of the Dublin University.

Among the citizens of Dublin whom Grattan had addressed there happened to be a very able and learned man, well versed in the laws and history of his country. Dr. Duigenan published an Answer to Grattan's Address.¹ In this, he examined every statement made in the address, and held up the whole as a perfect example of the art of political lying. This answer is full of accurate information, and well deserves the attention of all those who attempt to write the history of Ireland without a knowledge of her Constitution and of the laws which secured the connection of the two countries. A good judge of literary merit has expressed a high opinion of Dr. Duigenan's book. George Canning thus spoke of it in the British House of Commons : "The gentleman to whom I refer is Dr. Duigenan. This gentleman's book in answer to Mr. Grattan contains, in my mind, the most complete statement of the causes and nature of the present distractions in Ireland. It is not only a very ingenious but a very learned work, if that were any further recommendation to it. It more completely demolishes his antagonist than any controversial work that I remember ever to have read." ²

Mr. Lecky tells us that the administration of Lord Camden was *disastrous*. This extraordinary judgment is directly contrary to the opinion of the Lords and Commons of Ireland. In reality, it was a very brilliant and success-

¹ *An Answer to the Address of the Right Honourable Henry Grattan, ex-representative of the City of Dublin in Parliament, to his fellow-citizens of Dublin.* Dublin, 1798.

² *Parliamentary History*, xxxiv., p. 229.

ful administration. A secret conspiracy, operating by invisible means, against which the slow formalities of municipal law were powerless, and which had secured itself by an oath, the violation of which was certain death, had taken possession of the province of Ulster. The leaders of this conspiracy, by their unrelenting cruelty, had turned what had been the most peaceful part of Ireland into a scene of domestic treachery, barbarous murders, midnight attacks on houses and cowardly assassinations. They had collected an army of a hundred thousand men, sworn and united to overturn the existing Constitution, and to join the French when they should invade the country. They had established a reign of terror; and magistrates, jurors and witnesses were murdered if they dared to do their duty. Public justice was insulted and disabled, the King's troops were fired on, and the civil power had lost all authority. Such was the condition of Ulster when Lord Camden issued an order to disarm the "counties of Down, Antrim, Tyrone, Derry and Donegal."¹ It is absurd to say, as Mr. Lecky does, that this order was illegal. No Government could look on quietly while its subjects were murdered and an army collected to destroy itself and all who supported it. The Irish Government was bound to use every means, within or beyond the law, that was necessary to put an end to the anarchy which reigned in Ulster. This was the view of the Irish Commons. On the 20th of March, 1797, they presented an address to Lord Camden, expressing their gratitude for the exertions he had made to restore tranquillity in the North. "We feel with horror and indignation the dangerous and daring outrages committed in many parts of the province of Ulster, evidently perpetrated with

¹ See a description of the state of Ulster given by the Irish House of Commons in their address to Lord Camden (*Commons' Journals*, xvii., part i., p. 96).

a view to supersede the law and prevent the administration of justice by an organised system of murder and robbery; and which have lately increased to so alarming a degree in some parts of that province as to bid defiance to the exertions of the civil power, and to endanger the lives and properties of his Majesty's subjects. . . ." They then describe more fully the frightful state of Ulster, and proceed "we are impressed with the warmest feelings of gratitude for the care and the vigilant attention to the interests of the kingdom which has constantly marked your Excellency's administration, and we cannot too highly applaud the vigour and firmness of your conduct at the present critical conjuncture." ¹

A few days after the publication of the reports from the secret committees of the Lords and Commons, both Houses of Parliament presented a joint address to Lord Camden, urging him to exercise "the full energy of all the powers as well military as civil" entrusted to him to suppress treason and rebellion.²

The city of Londonderry was situated in the midst of the most disturbed parts of Ulster, and its magistrates had the fullest opportunity of knowing the necessity, the execution, and the happy consequences of Lord Camden's measures. On the 7th of December, 1797, the corporation of this city presented an address to Lord Camden, expressing their "grateful sense of the vigilance and vigour which had distinguished and given efficacy" to his Government. "When those execrable banditti, who call themselves United Irishmen, had not only the baseness to coalesce with our foreign foes in meditating the overthrow of that Constitution which had given freedom and prosperity to our country, but had also the audacity to denounce horrid vengeance

¹ *Commons' Journals*, xvii, part i., p. 96.

² *Ib.*, p. 157.

against all who should oppose them ; when they even proceeded to realise those menaces by every species of barbarous outrage ; when the arms of such as were deemed loyal were extorted from them by midnight violence ; when committees of assassination were formed, and their suggestions deplorably executed ; when terror imposed silence upon witnesses, and made even the honest juror shrink from his duty, it was obvious in such circumstances that the ordinary exercise of law could not but prove ineffectual, and the credit and commerce of the country, the security of property and life, the existence of the community, as well as the unanimous voice of the well-disposed inhabitants of Ireland, indispensably called for an exertion of the legislative and executive authority more adequate to the melancholy exigence."

"The summary powers created by recent legislation," it proceeds, "have been executed with wisdom and mercy, nor have they, we are confident, been extended to any district where the circumstances of the country did not loudly demand their exercise ; while, therefore, none but disappointed traitors complain, you possess the approbation of every unprejudiced Irishman. We should be wanting to ourselves in spirit, honour and truth, if we did not bear testimony to the facts which we have witnessed. We are at this time peculiarly called on to do so, in consequence of a gross misstatement made by a noble personage¹ in

¹ Lord Moira. Mr. Lecky, referring to the speech of this mischievous nobleman, says : "In November, Lord Moira, who spoke with the authority of a great Ulster landlord, brought the proceedings [of Government] in Ulster before the English House of Lords". What did Mr. Lecky mean by the words, "the authority of a great Ulster landlord" ? Did he not know that Lord Moira was an absentee, who resided at his seat in Leicestershire, and only occasionally visited his Irish estates ? Why did Mr. Lecky not mention the addresses of Parliament to Lord Camden, and the above contradiction, which was given by magistrates on the spot, to the statements of Lord Moira ?

another kingdom, from whom, considering his rank and character, better information and less party prejudice might fairly have been expected ; we willingly attribute to total ignorance of existing circumstances what it would be painful to impute to any dishonourable view ; but to the statements made by him relative to the measures adopted by the Government of the kingdom, and especially to that audacious assertion, ‘ that the proceedings in question were not merely particular acts of cruelty, but that those acts of cruelty formed a part of the system acted upon,’ we give the most direct and unequivocal contradiction ; nay, we are bold to affirm, and we defy the ingenuity of malice to disprove, that the general conduct both of the magistrates and the military commanders has been cautious and discriminative ; that summary measures have been rarely and reluctantly put in practice ; that the strictest attention has been exerted not to confound the seduced with the seducers or the ignorant with the obdurate ; and that, since the civil power has received these additional aids, this country has manifested the happiest alteration both in point of tranquillity and manufacturing industry, insomuch that the state of our commerce is, at this moment, remarkably vigorous and flourishing.”¹

¹ Seward, *Collectanea Hibernica*, iii., p. 210.

CHAPTER XXVI.

THE EVE OF THE REBELLION.

THE last Irish Parliament met on the 9th of January, 1798.

In his speech from the throne, the Lord-Lieutenant told the Houses, that in consequence of their addresses to him in the previous May, he had taken vigorous steps to repress disaffection and to restore tranquillity in the North. The effects of these measures were to be seen in the return of subordination and industry in Ulster; but the leaders of the disaffected had succeeded in raising disturbances in some parts of the Midland and Southern districts. Emissaries had been employed, and publications had been circulated by them to revive religious animosities, and to open prospects of plunder, "by which means the lower classes had been excited to commit acts of the most horrid outrage and barbarity."¹

Addresses were presented by the Commons to the King and the Viceroy. The address to the Viceroy pointed to the tranquillity which had attended the late elections as "an incontrovertible proof that the wisdom and firmness, displayed in the measures of the late Parliament, had been felt and approved by the nation at large." They congratulated the Viceroy on the restoration of tranquillity in the North, and assured him of their zealous concurrence in such measures as should be necessary to repress disaffection

¹ *Commons' Journals*, xvii. Part I., p. 194.

and outrage in the other parts of the kingdom. "We agree," they continued, "with the opinion expressed by your Excellency, that unremitting exertions continue to be necessary, when all means are employed to excite the people to rebellion and revolt, when a systematic plan of assassination is adopted and encouraged, and when the most audacious attempts are made to impede and prevent the administration of justice."¹ No man was safe, no house secure from attack. Magistrates were almost daily murdered by command of a secret tribunal which had condemned them.

The language of the Viceroy and the House of Commons was not a whit too strong. The United Irishmen had turned the Midlands and the South, as they had done before in Ulster, into a hell upon earth. No life was safe for twenty-four hours. An invisible power of darkness was dealing destruction around, and peace and security were unknown. Every gentleman had a guard of four or five soldiers in his house,² and even this precaution was not to be depended on, for many of the servants were sworn members of the general conspiracy. Mr. Conolly, who lived in a splendid mansion, about twelve miles from Dublin, discovered a conspiracy within the walls of his own house for the murder of himself and his wife, and the delivery of the house to a gang of United Irishmen. He was obliged to fortify his house, and maintain in it a regular garrison of soldiers.³ But the condition of the poor and loyal Protestants was indeed lamentable; for no loyal man could sit secure at his own fireside; the first notice he received of an attack on his house was usually a volley of musketry through his windows. If this failed to drive him out of his house, it was set on fire, in order to force him out for assassination.⁴

¹ *Commons' Journals*. xvii. Part I., pp. 198-9.

² Seward's *Collectanea Hibernica*, iii., p. 217.

³ Lord Clare's speech, 19th February, 1798.

⁴ *Ib.*

Reform and emancipation had been the watch-words of the conspiracy in the North, but neither possessed the slightest interest for the Leinster or Munster peasants. Reform conveyed no idea to their minds, and for emancipation they did not care a feather.¹ Other inducements were therefore held out to them, and they were taught to expect the abolition of rent and tithes, and a portion of the forfeited lands. The emissaries of the United Irishmen also dexterously turned to their own advantage the religious prejudices and dissensions which existed in the country. They industriously represented to the Roman Catholics, who formed the vast majority in Leinster and Munster, that the United System was necessary to their defence, as their Protestant fellow-subjects had entered into a solemn league to exterminate them, having sworn to wade up to their knees in Popish blood.² These wicked arts were successful, and the United Irishmen made rapid progress in Leinster and Munster. The same system of outrage, which the party had adopted in the North for establishing their own authority and compelling the people to look to them for protection, soon appeared throughout the Midland and Southern counties. Innumerable crimes of every kind were committed. We are told by the highest authority that "in the months of February and March (1798) many parts of the provinces of Leinster and Munster were actually in the possession of a murderous banditti. If they did not appear in arms by day, it only rendered their rebellion more difficult to be met and crushed by the King's troops and yeomanry. Not a night passed without numerous

¹ "I believe the mass of the people do not care a feather for Catholic emancipation, neither did they care for Parliamentary reform, till it was explained to them, as leading to other objects which they looked to, principally the abolition of tythes" (Evidence of Thomas A. Emmet, 11th August, 1798, before the committee of the House of Lords).

² Report of the Lords' secret committee, 1769.

murders. Several districts in the provinces of Leinster and Munster had been proclaimed under the powers given to the Lord-Lieutenant and Council by the Act for preventing insurrections, but these measures proved ineffectual; very many of the loyal inhabitants of the counties of Cork, Limerick, Tipperary, Kilkenny, Carlow, King's County, Queen's County, Kildare and Wicklow, were, in the course of one month, stript of their arms, and in many places obliged to fly for shelter into the garrison towns. And as one instance, among many, of the daring lengths to which the conspirators at this time had proceeded, your committee think it necessary to state that in open day, 800 insurgents, principally mounted, invested the town of Cahir, in the county of Tipperary, held possession of it until they had made a regular search through every house, and carried off in triumph all the arms and ammunition they could find."¹

Though thousands of arms of all kinds had been seized or surrendered throughout Ulster during the year 1797, the United System was not dead in that province. The Presbyterians, shocked by the enormities committed in Leinster and Munster, were daily deserting the conspiracy, and enlisting in the yeomanry. But the leaders kept alive some of the higher committees, and endeavoured to prevent the spread of the despondency caused by the disarming and the presence of the military. The means adopted to raise the drooping spirits of their followers were reports that the French were certainly coming, or that large numbers of the King's troops were disaffected and ready to join them; as an inspection of the proceedings of some of the Northern committees about the time will show.

14th November, 1797.—At a provincial meeting in Armagh of the delegates of Tyrone, Donegal, Armagh,

¹ Report from the secret committee of the Commons, 1798.

Monaghan, Down and Antrim, it was stated that there were 4,000 military in the county Antrim, and that of these, 700 were "friends of the people"; in Down, 1,100, of whom 1,000 were friends; in Tyrone, 2,700, of whom 1,000 were friends; in Armagh, 4,200, of whom 200 were friends; in Donegal, 2,000 of whom 700 were friends. Monaghan sent no return. The delegates were asked if they thought their counties could disarm the military in them. All said they could, except Armagh. The secretary said, there were now four executive committees, in Cork, Galway, Dublin and Ulster; two members from each had met the week before; and the reports from Leinster and Munster were very good. He assured them that a delegate had just arrived from France. The expedition from the Texel had been put off, owing to the defeat of the Batavian fleet, but the Directory was now preparing "a more formidable expedition for us which we might depend upon".¹

14th December, 1797.—At a provincial meeting of the delegates of six counties,² orders were given to every county delegate to procure an exact account of the numbers of the military, regulars, militia and yeomanry, and the quarters in which they lay, and also how many of them could be reckoned on as friends. These returns were required, the former having been very defective. "It is necessary that this should be completely remedied, and the respective stations and quarters of the troops known to the executive, to enable them to form the proper plan for co-operation with the French on landing."³

14th January, 1798.—At a provincial meeting in Armagh,

¹ Appendix xiv. Report from the secret committee of the House of Commons, 1798.

² Monaghan, Donegal, Armagh, Tyrone, Antrim and Down.

³ Appendix xiv., report from the secret committee of the House of Commons, 1798.

where five counties were represented,¹ it was stated that there had been a meeting of the National Committee, and it was found that, "notwithstanding all the depredations committed by the military," the upper provinces were tolerably organised. It was also stated that France had intended to invade Ireland only, but that the Directory had changed their minds, and would invade the three kingdoms at once; "from the magnitude of such a great business, we need not expect them as soon as we did".²

1st February, 1798.—At a provincial meeting in Shane's Castle,³ a delegate arrived from Dublin, and reported that the National Committee had met the same week, and that the upper provinces were ready to act in a moment. Two regiments in one province "had offered to deliver it". Three delegates had arrived from France, and the expedition was in a state of greater forwardness than was expected. Three delegates had also arrived from the United Britons; and England, Scotland and Ireland were henceforth to be considered as one people acting for a common cause. There were legislators chosen from the three kingdoms to act as an executive for the whole. He then produced an address from the United Britons to the United Irishmen, and said "he was certain we could now obtain liberty although the French never should come here". He told the delegates to have their men in readiness, "as the hour of acting could not be far distant".⁴

27th February, 1798. At a provincial meeting in Armagh,⁵ a deputy from Dublin reported that a delegate had returned from France with the information that the French were making every exertion to hasten the expedition,

¹ Tyrone, Armagh, Antrim, Down and Donegal.

² Appendix xiv., Report from the secret committee of the House of Commons, 1798.

³ Number of counties not mentioned.

⁴ *Ib.*

⁵ *Ib.*

and that the delegate had returned to exhort "us to put ourselves" into a state of organisation, as the Directory had positively assured our delegates that the expedition would set out for Ireland in the latter end of April or beginning of May. The deputy then presented instructions how the counties were to act, and made every member take a copy. These instructions directed the colonels in each county to make lists of such persons as were to be chosen adjutants-general, and also contained full information as to the duty of these officers when chosen.¹

The condition of Ireland at this time almost passes belief. The country was seething in rebellion. Its Government did not know the moment a French invasion might land. An army of domestic traitors, 270,000² strong, every member of which looked forward to a general massacre and confiscation, was prepared to join the invaders. In the North the United Irishmen were endeavouring to recruit their strength. In the Midlands and in the South no man was safe from the organised system of assassination which prevailed, while, at the same time, every attempt was made to prevent the administration of justice by the murder of magistrates, jurors and witnesses.³ It was to such a country that a hare-brained member of the English Opposition was now come, to increase the difficulties of the brave men who were struggling against the greatest and most wide-spread conspiracy known to history.

¹ Appendix xiv., etc.

² In their address to Irishmen, dated the 17th of March, 1798, the United Irishmen described themselves as "four hundred thousand fighting men, the physical strength of Ireland" (Appendix xxv., Report from the secret committee of the House of Commons, 1798).

³ "The daily execution of magistrates is shocking; if the insurgents can proceed in the administration of punishment with impunity, the timid and neutral of all descriptions will be on their side speedily" (Lord Westmoreland to Mr. Beresford, 15th March, 1798, *Beresford Correspondence*, iii., p. 153).

Lord Moira had already twice called the attention of the British House of Lords to the state of Ireland—a subject wholly and exclusively within the cognisance of the legislature of Ireland. On the 21st of March, 1797, he moved an address to the King, imploring his paternal intervention to remedy the discontents which prevailed in Ireland.¹ This motion could not have been adopted without infringing on the legislative independence of Ireland, and breaking the solemn contract which had been made between the two countries in 1782. We may form an idea of the intellect and knowledge of Ireland, which Lord Moira possessed by some of his statements on this occasion. “He was convinced that the general sentiment of Ireland was that of cordial attachment to this country, and that it was the determination of the majority to stand or fall with this country.” . . . “He was confident, however, that the adoption of measures calculated to impress the people with confidence in the Government would quickly call forth that fond affection of the inhabitants of Ireland to this country, which circumstances might cloud, but could not extinguish.” The motion was rejected by 91 to 21.

On the 22nd of November, he again brought the subject before the British House of Lords.² On this occasion he told the House that he had seen in Ireland the most absurd and disgusting tyranny that any nation had ever groaned under. He had seen in that country a marked distinction made between the English and the Irish. He had seen troops sent thither full of this prejudice, that every inhabitant of that kingdom was a rebel to the British Government. He had seen the most grievous oppression exercised in a part of the country “as quiet and as free

¹ *Parliamentary History*, xxxiii., p. 127.

² *Ib.*, p. 1,058.

from disturbance as the city of London".¹ The curfew existed in Ireland, and persons were obliged to put out their lights at a certain hour. He had known an instance of a master of a house entreating a party of soldiers to allow him to have a candle alight, for his child was in convulsions, and the mother was hanging over the infant to administer the necessary assistance. The Inquisition did not differ from the system pursued in Ireland. Men had been picketed till they fainted, and again picketed; men had even been half hanged to make them confess the crimes they had been charged with. These outrages had been committed in open day; yet they were not made known, because the printers of newspapers feared the vengeance of Government. A party of troops in open daylight had destroyed the *Northern Star*. If a man in Ireland declined to give up his arms, the regular punishment of his contumacy was that a party of military might go and burn his house and destroy his property. He had seen a conquered country held by a military force, but never had he seen in any country such a tone of insult as had been adopted by Great Britain to Ireland. He then sat down, without making a motion on the subject of his speech.

It is hard to say whether falsehoods or exaggerations predominate in this speech. If he had seen, as he said, oppressive acts committed in Ireland, why did he, a peer of that country, not communicate them to the Lord-Lieutenant

¹ Here Lord Moira refers to his own town of Ballynahinch, in the county of Down. Ballynahinch was a centre of disturbance hardly inferior to Belfast. The meetings of the committee for county Down were often held in this town. (Fourteenth Appendix to Report of the Commons' Secret Committee). The county of Down had been dreadfully disturbed in 1796 and 1797. In the debate which took place in the Irish House of Lords on the 19th of February, 1798, Lord Glentworth read out a long list of murders which had been committed in that county during those years.

or Commander-in-Chief, instead of keeping them in his own breast? He afterwards¹ withdrew every charge against the military, and with this withdrawal, his statement that they burned the houses of those who refused to give up their arms, fell to the ground. On the same occasion he denied that he had ever said that troops had been sent full of prejudice against the Irish people: "What I said was that the foreign troops, which were sent to Ireland, went thither under an unfortunate prejudice, which care had been taken to instil into them, that every man they met was a rebel".² He admitted also on the same occasion that the piteous case of the mother hanging over her sick child, and the father entreating the patrol to allow him to keep a light, was imaginary, and introduced for effect. "In describing the severity of so arbitrary a measure, I took the liberty to suppose a case in which the enforcement of it would be attended with great hardship; the case was that of a parent watching at night over her dying child, and obliged in such circumstances to put out her light by the order of a military patrol."³ His statement that the newspapers did not dare, from fear of the Government, to mention the outrages was too absurd, at a time when the *Press* was disseminating treason three times a week. His charge against the Irish Government, that they had sent troops in broad daylight to destroy the *Northern Star*, was a positive falsehood. The half-hanging and picketing of *men* till they fainted resolved themselves into the case of *one* man. Information had been given that a blacksmith had made a large quantity of pikes. To a party which had been sent to search his house he denied all knowledge of any pikes. The soldiers, to terrify him into a confession, threw a rope round his neck

¹ In his speech made in the Irish House of Lords on the 19th February, 1798.

² His reply on the same occasion.

³ *Ib.*

and threatened to hang him, but nothing more was done. He was then taken to Downpatrick, and there, he was put upon a picket by a colonel of Fencibles. He at once gave information, and next day more than one hundred pikes were discovered in consequence of his information.¹ Lord Moira did not tell the assembled peers that it was his duty, before charging the Irish Government with acts of oppression, to have made himself acquainted with the long and bloody catalogue of murders and burnings committed by the United Irishmen, and then to have compared the means of repression with those crimes. Nor did he mention the truth, that every act done by the Irish Government had been done under the authority of Irish statutes, or of the addresses of both Houses of the Irish Parliament. He also forgot to mention that he was merely retailing to the House stories which had been collected for him by a United Irishman, William Sampson, acting in concert with Whitley Stokes, an ex-United Irishman.²

This is the speech which Mr. Lecky introduces to his readers as having been delivered "with the authority of a great Ulster landlord," but he forgets to tell them that Lord Moira was an absentee, and only visited Ireland occasionally.³ Just as, in the same page, he relates that a meeting was held in Dublin which passed resolutions against the outrages committed by soldiers, signed by Valentine Lawless, afterwards the first Lord Cloncurry, without adding that this Valentine Lawless, afterwards

¹ Speech of Lord Clare, 19th February, 1798.

² Sampson was banished. A visitation of Trinity College, Dublin, was held on the 19th April, 1798, to inquire whether the disaffection imputed to the College really existed. Stokes was examined, and admitted that he had been a United Irishman in 1791, and that he had communicated to Sampson, as materials for Lord Moira, accounts of excesses committed by soldiers (Madden, *United Irishmen*, iii., p. 278).

³ Lecky, vol. vii., p. 305.

Lord Cloncurry, was a United Irishman, and for some time a member of the Directory.¹

If Lord Moira had known the estimation in which he himself was held by the United Irishmen, he would have abstained from censuring the measures of the Irish Government. At a county meeting held on the 4th of February, 1798, at Saintfield in the county Down, not very far from his own town of Ballynahinch, "Earl Moira's character was discussed at full length, to know whether he was a man that could be depended upon or not by the people. It was agreed that he was as great a tyrant as the Lord Lieutenant, and a deeper designing one".²

In his second speech in the British Parliament, Lord Moira had intimated that he might discuss the Government's conduct in the Irish House of Peers, of which he was a member.³ No sooner was this known in Ireland than a number of the disaffected formed themselves into a society for supplying him with information.⁴ But Lord Moira was too wise to make use of such information before men who were acquainted with the true condition of the country. When, on the 19th of February, 1798, he rose in the Irish House, he withdrew every charge against the army: "No, my Lords, never did I presume to charge the army with any act of oppression . . . it was against the Cabinet of England that my attack was wholly directed. I accused it of having made the army the instrument of

¹ Madden's *United Irishmen*, i., p. 283.

² Appendix xiv., Report from the secret committee of the Commons, 1798.

³ *Parliamentary History*, xxxiii., 1,057.

⁴ Speech of Lord Glentworth, 19th February, 1798. Lord Moira himself also mentions this fact in a letter to Lord Charlemont, dated 31st January, 1798. "I have received a notification that a committee has collected for me a great body of evidence respecting the shocking outrages that have been committed in different parts of Ireland" (*Charlemont's Correspondence*, ii., p. 314).

a cruel and arbitrary system of vengeance and oppression towards this country". He did not mention any act of cruelty or oppression, though challenged to produce the list of outrages he had spoken of in the British House, because, as he said in his reply, he thought it was for the honour of his country to forget them—a strange reason in the mouth of a man who had trumpeted them abroad in another country. Nor did he say one word of the outrages committed by the United Irishmen, though news of four peculiarly barbarous murders had just come in.¹ He declared he was in favour of emancipation and reform. He then narrated that, on his arrival in Ireland, he had found that the district round his house and his own town of Ballynahinch had been reported as not merely disaffected but tainted with rebellion. He made every effort to discover the persons who were supposed to be instrumental in organising plots or conspiracies. "Finding that no such plots ever existed," he called a meeting of the inhabitants of Ballynahinch, and addressed them on the nature of republicanism and the blessings of a limited monarchy. When he spoke of the inestimable virtues of the King, "there was not a man who did not exhibit the most genuine and marked approbation". When he mentioned the magnanimity of the Prince of Wales and his attachment to Ireland, "there was not an eye which did not beam gratitude, or a heart which did not demonstrate its loyalty in the fervency of its acclamation". He concluded this curious harangue by moving an address to the Lord-Lieutenant, recommending the adoption of conciliatory measures.

Lord Glentworth, formerly Sexton Pery, was the first to oppose the motion, which he considered so mischievous

¹ The murders of Colonel Uniacke, Mansergh St. George, Esq., and of two troopers in the 9th Dragoons. See Lord Glentworth's speech in this debate.

that it ought to be met at once. He related some of the "horrors committed by treason," and read out a long list of persons who had been murdered in the county of Down during the years 1796 and 1797.

Lord Cavan, one of the general officers serving in Ulster, said that Lord Moira's statement that the military obeyed orders as soldiers at which their feelings as men revolted, was a serious imputation on himself and the other general officers, who were the first to receive those orders. No general officer would obey inhuman or tyrannical orders. He concluded by putting a very pertinent question to Lord Moira. Why, when he became aware of the outrages he had mentioned, did he not apply to the nearest general officer to have them redressed, instead of carrying the recital of them, without explanation, to the British House of Peers?

The Chancellor¹ asked what security could be given that conciliation would be effectual. If conciliation was a spell to allay discontent, in no country had it found so fair a trial as in Ireland. For twenty years the policy of the British Cabinet towards Ireland had been a policy of conciliation. In 1779 there were restraints on the trade of Ireland; these restraints were removed at the request of the Irish Parliament. The voice of complaint was again soon heard. The Irish Opposition pointed out the grievances of the country, limiting them to the claim of Great Britain to bind Ireland by her law, and a Perpetual Mutiny Bill, and promising that if these were given up no further difficulty should ever arise between the two countries. They were given up, and these concessions were received with unbounded applause. Immediately after, it was discovered that it was not sufficient for Great Britain to repeal her law, declaring her right to bind Ireland, but that a renun-

¹ Lord Clare.

ciation of that right was indispensable. This became the universal cry, and the men, who three weeks before had been the popular idols, were not only exposed to insult but to personal danger. While this excitement raged, the Court of King's Bench in England decided upon a record, removed into that court before the Act of Repeal. It was the duty of Lord Mansfield to decide on a record which he found in his court, nor was there any way of avoiding it. This was a new grievance, and a clamour was raised against the British Cabinet. To allay this clamour the British Parliament passed the Act of Renunciation. Grati-fied in every wish, the Irish patriots discovered that their own Parliament, which had procured all these advantages, was itself a grievance. To remedy this they appointed a Military Convention, which met in Dublin, decked out in all the forms of a parliament, with its Speaker and Committees. A bill for the reform of the House of Commons was brought in, read, debated, read a second time, committed, reported, and ordered to be engrossed, read a third time, passed, and sent by two of their number, who were also members of the Commons, to be registered by Parliament. But Parliament vindicated its honour, and rejected a bill presented on the point of the bayonet.

After this firm conduct there was quiet for a year. But it was discovered that British manufactures, by their superior quality and cheapness, were preferred in the Irish markets. Instead of endeavouring to rival them in quality and cheapness, and without considering that the balance between the two countries was in favour of Ireland, it was resolved to commence a war of duties, though it was proved that there was not wool enough in Ireland to clothe one half of its inhabitants. To quiet these clamours, Great Britain offered a fair and liberal commercial treaty, by which she admitted the Irish to her markets, shared her

immense capital with them, and opened her colonies to their trade, on condition that she should follow England in the laws she had made for the colonies and the trade in which they were to participate. This offer was represented as an attack on Irish independence, and the Irish Parliament, duped by the silliest deception, threw away an opportunity of consolidating the interests of the Empire.

In 1789, a most critical imperial question arose, in which the Irish Parliament acted with the most marked hostility towards the British Parliament. Upon the termination of this crisis, several of the oldest servants of the Crown refused to attend to their duty and were dismissed. These persons, combining with the old demagogues, formed themselves into a political club for the redress of grievances. They began with a manifesto, charging the British Government with a systematic design of destroying the liberty of Ireland, and proclaimed that they would defend with their lives and fortunes the Constitution as settled in 1688 and re-asserted in Ireland in 1782. The measures taken up by these men were repeatedly pressed upon Parliament with such coarse, intemperate invective that the minds of the people were so poisoned against the British name that they were ready to become the instruments of the United Irishmen, who have reduced Ireland to a state little short of the horrors of 1641. The United Irishmen, like the Whig club, began their career by a manifesto, not against any administration, but against the British name. They proposed a Union of all Irishmen for the purpose of arousing the indignation of the country against the British Connection and British power.

Wohm would Lord Moira conciliate? Was it the executive directory of Ireland, which held as regular a communication with France as Lord Camden did with the Cabinet? The United Irishmen could not be conciliated,

for they thought themselves secure of French aid and of the lower orders, whom they had seduced by the hope of plunder and a distribution of land. They have excited the greater portion of those orders to a state of frenzy, and bound them by an oath, which to violate was certain death. By their unrelenting barbarity, they have spread universal horror and dismay through the country. Every witness who had dared to appear against them was written down in the book of death; magistrates had been murdered; even in courts of justice, jurymen had been threatened with the same fate. In the summer of 1797, a handbill had been sent through the North, cautioning jurors not to convict one of the brethren.

Had Lord Moira heard of a conspiracy entered into a few weeks before he spoke with some of the soldiery, to deliver the fort of Athlone and its magazine to the rebels, or in case of failure to blow it up? Or had he seen the order issued on the 1st of February, 1798, by the executive directory of the Union, which ran: "United Irishmen, your numbers are now so much increased that you may justly be called the people; but your organisation must increase with your numbers, for without it, how can your strength be brought to act? Consider what time this is; when France has, after overcoming all the powers of Europe, marched all her troops to her coasts for the invasion of Great Britain and Ireland, to meet men arrayed in the cause of liberty and anxious to receive them; Great Britain falling into bankruptcy and ruin; this is the moment for you to exert yourselves; unite and organise, and ere long you must be free."¹

The House divided at half past two o'clock in the morning, and the motion was rejected by 45 to 10.

¹This debate gave rise to three pamphlets, which are to be found in the 745th volume of the Haliday Series in the Royal Irish Academy.

A remarkable confirmation of Lord Clare's statement, that the United Irishmen were not to be conciliated, took place almost at the moment he was speaking. The following resolution was passed on the evening of the same day by the Leinster and Ulster provincial committee: "Resolved, that we will pay no attention whatever to any attempt that may be made by either House of Parliament to divert the public mind from the grand object which we have in view, as nothing short of the complete emancipation of our country will satisfy us".¹

A week after the appearance of Lord Moira in the House of Lords, another disagreeable incident occurred, which, if Lord Moira had not fully retracted his charges against the army, would have supported him in his folly. Sir Ralph Abercromby had come to Ireland as Commander-in-Chief early in December, 1797. He was at this time sixty-four years of age, of peculiar opinions and of inordinate self-esteem. He had not offered his services to his own Government during the American War because he sympathised with the Americans, that is, he sacrificed his public duty to his private opinions.² He had come over to Ireland strongly prejudiced against the Irish Government and the Irish legislature.³ On his arrival, he found the troops necessarily scattered in small parties over the whole country for the protection of life and property, and acting without the presence of a magistrate, as they had been authorised to do by a Proclamation of the Lord-Lieutenant and Council, dated the 17th May, 1797.⁴ To Abercromby,

¹ Examination of Dr. MacNeven, 7th August, 1798. Appendix iii., Report from the secret committee of the House of Lords, 1798. Appendix xvii., Report from the secret committee of the House of Commons, 1798.

² Dumferline, *Life of Abercromby*, p. 19. This life is written by Abercromby's son, and is a mere panegyric.

³ *Ib.*, p. 73.

⁴ Appendix x., Report from the secret committee of the House of Commons, 1798.

accustomed to large bodies moving in concert, the loose texture of the army was very distasteful, and that any one should interfere with his control and distribution of the army was infinitely disagreeable to him. His ignorance of the condition of the country was amazing. As early as the 28th of December, after a residence of about a fortnight, he wrote to the Duke of York, "the disturbances which have arisen in the South are exactly similar to those which have always prevailed in that part of the country".¹ In January, 1798, he visited the South, and, on the 23rd of the same month, he reported to the Lord-Lieutenant, that "as far as my information goes, the country through which I have passed is in a state of tranquillity".² In this letter he urged that the troops should be collected into large bodies, and the preservation of the peace and security of the country left to the yeomanry. To Abercromby's great annoyance, his advice was not taken, and in his irritation, and without consulting the Lord-Lieutenant or letting him know his intention, he published the following general order on the 26th of February, 1798.³

"The very disgraceful frequency of courts-martial, and the many complaints of irregularities in the conduct of the troops in this kingdom, having too unfortunately proved the army to be in a state of licentiousness which must render it formidable to every one but the enemy, the Commander-in-Chief thinks it necessary to demand from all generals commanding districts and brigades, as well as commanding officers of regiments, that they exert for themselves, and compel from all officers under their command, the strictest and most unremitting attention to the discipline, good order and conduct of their men, such as may restore the high and distinguished reputation which

¹ Dumferline, *Life of Abercromby*, p. 84.

² *Ib.*, p. 85.

³ *Ib.*, p. 93.

the British troops have been accustomed to enjoy in every part of the world. It becomes necessary to recur to, and most pointedly to attend to, the standing orders of the kingdom, which, at the same time that they direct military assistance to be given at the requisition of the civil magistrate, positively forbid the troops to act [but in case of attack] without his presence and authority, and the most clear and positive orders are to be given to the officers commanding the party for this purpose.”¹

This intemperate order, censuring indiscriminately the entire army, was wholly illegal, for it purported to revoke a Proclamation issued by the highest authority in Ireland, namely the Lord Lieutenant and Council, an authority to which Abercromby himself was subordinate. This proclamation had been issued on the 17th May, 1797, and authorised the military to act without directions from the civil power, because, as was stated in the Proclamation, the exertions of the civil power had proved ineffectual for the suppression of the traitorous and wicked conspiracy which existed, and for the protection of the lives and properties of his Majesty’s faithful subjects.²

Abercromby’s excuse for issuing the order was, that he did not consider the Proclamation to be in force at that time.³ Lord Camden informed him that, until recalled or until the state of the country was altered, the Proclamation

¹This order is a great favourite with the anti-English writers, who invariably quote it to prove the excesses of the malignant English soldier. To increase its importance, they even make it plural and call it general orders. The order only imputes “irregularities” to the army, and therefore does not satisfy these writers. Plowden, in defiance of truth and grammar, totally strikes out “irregularities” and makes the order to run thus, “the very disgraceful frequency of courts-martial, and the many complaints in the conduct of the troops” (vol. ii., p. 663).

²Appendices x., xi., xii., Report from the secret committee of the Commons, 1798.

³*Life of Abercromby*, p. 99.

must be considered as still in force.¹ To this, Abercromby replied by entreating Lord Camden to move his Majesty for permission to him to resign.² At the same time, before the King had granted his permission, he signified his resignation to the general officers serving in Ireland.³

The consequences of Abercromby's order were very serious. It produced general consternation, mingled with indignation, among all loyalists and the officers of the army. Nothing but the terrible condition of the country restrained the Parliament from taking up the matter very strongly or officers from resigning.⁴ It was universally circulated by the United Irishmen among their friends as an encouragement to them to proceed in the business of murder and robbery without apprehension.⁵ It paralysed the exertions of the military. Two examples of this effect are mentioned by Lord Clare. General Lake's people had notice of the intended attack on the town of Cahir, and sent to the next military station for a force to resist it, but under Abercromby's order not a soldier could stir. About the same time, a patrol came up with a gang of twenty or thirty, who had just robbed two gentlemen's houses of arms and were loaded with the spoil; but, as they did not attack the patrol, the latter did not dare to fire, and the gang went off unmolested.⁶

On the 12th of March, the Leinster provincial committee, fifteen in number, were arrested while sitting in council at the house of Oliver Bond in Dublin.⁷ Their papers were also seized at the same time. From these it

¹ *Life of Abercromby*, p. 101.

² *Ib.*, p. 104.

³ *Ib.*, p. 114.

⁴ *Beresford's Correspondence*, ii., p. 153.

⁵ Lord Clare to Lord Auckland, *Auckland Correspondence*, iii., p. 397.

⁶ *Ib.*, p. 396.

⁷ Madden gives the names of those arrested at this time, i., p. 411.

appeared that an insurrection was on the point of breaking out. One of them ran as follows: "Resolved, that it is the opinion of this committee that if the other Ps. [provinces] be in an equal state of preparation as Leinster, as soon as we can procure the information of their state and their determination to act in concert with the nation, we should immediately proceed to act; and that the Exe^{ve} be requested to take such steps immediately as will tend most expeditiously to bring about an union of the different prov^s".¹ On the same day, Thomas A. Emmet, MacNeven, Sweetman and the two Jacksons were arrested in different places in the city, and warrants were issued against Lord Edward Fitzgerald and Sampson.

The arrest of the Leinster provincial committee and of several of their leaders on the 12th of March was a terrible blow to the United Irishmen. To counteract its depressing effects, they published, on the 17th of the same month, an address to Irishmen, asserting that the arrest was an "explicit and unequivocal declaration of war on the Irish people," which forced 400,000 fighting men, the physical strength of Ireland, to make, in convenient time, their final option between death and self-defence, and proved by evidence more than palpable, that the nation and the Administration could not exist together. It went on to declare that the organisation of Dublin was perfect, that no vacancies existed, and that arrangements had been made to secure for their brethren legal assistance, and concluded with the following words: "Be firm, Irishmen, but be cool and cautious; be patient yet awhile; trust to no unauthorised communications; and above all we warn you, again and again we warn you, against doing the work of tyrants, by *premature*, by *partial* or *divided* exertion. If Ireland

¹ The papers found at Bond's house form the Nineteenth Appendix to the Report of the secret committee of the House of Commons, 1798.

shall be forced to throw away the scabbard, let it be at *her own time*, not at *theirs*".¹

Meanwhile the condition of Leinster and Munster was fast becoming desperate. We have already seen that at this time many parts of these provinces "were in the possession of a murderous banditti"; that "not a night passed without numerous murders"; and that many of the loyalists in nine counties had been "in the course of one month stript of their arms". "The whole of the province of Munster and many of the counties of Leinster," wrote Lord Clare, at this time, "are in a complete state of anarchy, if not of open rebellion." "The system of robbery is extending rapidly over large parts of the country, and the gentry have fled universally into towns for refuge. The people do not cultivate the ground, so that, if this proceeds much farther, the best which we can expect will be famine."² Mr. Beresford, writing a few days later, gave as gloomy an account of the state of the country. "They [the people] are now, in Leinster, Munster and Connaught, robbing, plundering and burning houses, hay yards, corn, etc.; murdering witnesses and magistrates; assassinating every man who they think either is or may be active against them; and in the middle of the noonday, in the streets of towns, obliging, by force and threats, men to take their oaths and pay contributions for their plans."³ Under these circumstances Lord Camden was obliged to issue a peremptory command to Abercromby to revoke his general order, and to give immediate directions to the troops for the suppression of the traitorous conspiracy which existed in the country, and for the recovery of the arms which had been taken from

¹ This address is in the Twenty-fifth Appendix to the Report from the secret committee of the House of Commons, 1798.

² Lord Clare to Lord Auckland, *Auckland Correspondence*, iii., p. 395.

³ Mr. Beresford to Lord Auckland, *Ib.*, p. 401.

loyal subjects. As Abercromby had thrown doubts on the former proclamation, a new proclamation was issued on the 30th of March, stating that the traitorous conspiracy, long existing within the kingdom, had broken out into acts of open rebellion, and giving notice that the most direct and positive orders had been issued to the officers commanding his Majesty's forces to employ them with the utmost vigour and decision for the immediate suppression thereof, and also for the recovery of such arms as had been traitorously taken from the King's loyal subjects. It was also enjoined that they should disarm the rebels and all disaffected persons by the most summary and effectual measures.¹

This proclamation was transmitted by the Lord-Lieutenant to Abercromby, who was directed to proceed into the disturbed districts and enforce its provisions. But Abercromby had no intention of obeying, or of doing his duty. Instead of acting at once with vigour and decision, he published a notice to each county as he approached it, requiring its inhabitants to give up, within ten days, the arms taken from the yeomen and loyal subjects, and threatening, in default of obedience, that troops should be quartered on them in large bodies to live at free quarters. The notice also called upon them to give information respecting concealed arms, but there was not a word in it of disarming the disaffected.² This ten days' notice put the insurgents on their guard, and when the soldiers appeared all was quiet. We may judge in what manner Abercromby executed his commission by a letter which he wrote on his

¹ "This proclamation," says Mr. Lecky, "opened a scene of horrors hardly surpassed in the modern history of Europe" (viii., p. 13). It opened a scene of shameful inaction. At a time when every moment was precious, Abercromby sacrificed twenty-six days to his wounded vanity. The proclamation is very short, and forms the Thirty-sixth Appendix to the Report from the secret committee of the House of Commons.

² The form of this notice is the Thirty-seventh Appendix, *Ib.*

return from the South: "I have been through all the disaffected districts and found nothing but tranquillity, the people employed in cultivating their lands, and following their usual avocations".¹ Fortunately for the country, Lake, a man who did not allow wounded vanity to interfere with his duty, was appointed Commander-in-Chief on the 25th of April.

Abercromby was four months in Ireland, at a time when he might have rendered invaluable services, yet during all that interval he did nothing but mischief. After the refusal of the Viceroy to adopt his policy of collecting the troops into large bodies, he acted like a madman. Without notice to the Lord-Lieutenant, he overstepped the limits of his own powers, and published an illegal general order, which repealed a Proclamation of the highest authority in Ireland, and paralysed the efforts of the army to suppress rebellion. When informed by the Lord-Lieutenant that the proclamation must be considered as still in force, he sent in his resignation, though he must have known that this step, at such an awful crisis, was a censure on the Viceroy, and an encouragement to the disaffected. At the same time, he informed the general officers throughout Ireland of his resignation, though he was bound to wait until his resignation had been accepted by the King. When directed to employ the soldiers in the disturbed districts of Leinster and Munster, in order to suppress rebellion, recover the arms taken from the yeomanry and loyalists, and disarm the disaffected, he did nothing. His culpable inefficiency is best shown by the last paragraph of the notice he gave to each county: "should the deluded and evil-disposed among the people in this country still persevere in robbing and murdering and committing other acts of violent in-

¹ *Life of Abercromby*, p. 127.

subordination to the laws of the country, they are informed that the Commander-in-Chief will be obliged to have recourse to those powers with which he has been invested to bring them to immediate punishment". That is, he was well aware that robberies, murders and other outrages were going on around him, yet, in defiance of his orders, he did nothing to prevent them.

This is the man whom Plowden and Mr. Lecky, with that wonderful perversity of judgment so often seen in their pages, hold up to our admiration. There can be no doubt that many innocent lives, before and after the breaking out of the rebellion, were lost by Abercromby's shameful neglect of duty and obstinate disobedience to orders.¹

Lake had only a month before him, but he did a great deal within that time. His efforts "had an almost immediate effect in repressing the audacity of the rebels and in restoring tranquillity. The loyal inhabitants were enabled in many places to return in safety to their houses, and murders became less frequent; in many counties, particularly in Kildare and Tipperary, the people, sensible of the madness and wickedness of their conduct, began openly to acknowledge their crimes, surrender their arms, and point out

¹ Shortly after his resignation, Abercromby wrote a private letter to his son, explaining why he had given up his command. After some extraordinary accusations against the Viceroy and his advisers, he wrote: "Within these twelve months, every crime, every cruelty that could be committed by Cossacks or Calmucks have been transacted here". It is not at all clear that these words were intended by the writer to apply to the army. But Mr. Lecky, by cutting out several intervening sentences in the letter, has so applied them (compare Lecky's vol. vii., p. 434 with the letter in the *Life of Abercromby*, p. 108). If the words were intended for the army, then they were evidently false. (1) Abercromby in his public order had only accused the soldiers of irregularities. (2) If such horrible crimes had been committed, why did he, the Commander in Chief, not drag them into light and punish them as they deserved, instead of locking them up in his own breast?

their leaders and seducers—a submission which invariably obtained for them pardon and protection.”¹

The leaders of the conspiracy began to perceive that their cause was losing ground, and that they had no alternative left but to hazard an insurrection or to relinquish their purpose. As one of these leaders said, “the country was tired with the prosecutions, and the people threatened, if the rising did not immediately take place, they would take the oath of allegiance, and give up their arms”.² On the 19th of May, Lord Edward Fitzgerald was arrested, and on the 21st, Henry and John Sheares, who had assumed the direction of the conspiracy after the arrest at Bond’s. On the 22nd, a message was sent by the Lord-Lieutenant to both Houses of Parliament stating, that upon the application of the magistrates, he had proclaimed the city of Dublin,³ and that he had received information that the disaffected had formed a plan for possessing themselves of the metropolis, and seizing the seat of Government and the persons of those in authority within the city: and that he had directed every military precaution to be taken.⁴ The plan to which the Viceroy alluded, also included the surprise of the camp at Loughlinstown and the artillery station at Chapelizod on the same night, in which attack

¹ Report from the secret committee of the House of Commons, 1898.

² John Sheares. Appendix 20, Report of the secret committee of the Commons, 1798. These words of John Sheares were corroborated very strongly by a statement of Mr. Beresford: “We have positive evidence from three different quarters that it was the intention to rise on to-morrow, and the reason given from each quarter was the same, viz., that now Government were taking such vigorous measures, they must either now rise or give up the game” (Beresford to Lord Auckland, 20th May, 1798, *Auckland Correspondence*, iii., p. 417).

³ Dublin was proclaimed on the application of the Lord Mayor and twenty-two out of twenty-four aldermen. A few days previously the county of Dublin had been proclaimed on the requisition of fifty-three out of fifty-five magistrates (*Auckland Correspondence*, iii., p. 415).

⁴ *Commons’ Journals*, xvii., part i., p. 333.

the counties of Dublin, Wicklow and Kildare were to co-operate. The insurrection in the neighbourhood of Dublin was to be announced to all parts of Ireland by the stoppage of the mail coaches, and it was expected that the North and South would also rise.¹

Notwithstanding the military precautions, the signal for rising was given, and on the night of the 23rd May the insurrection broke out.

It is needless to repeat the story of the rebellion, but one remark may be made here.

The Roman Catholics, who joined in it, were not actuated by any racial antipathy to the English or to the Anglo-Irish. This racial principle is an offshoot of the theory which makes Celts and Roman Catholics one and the same. Such a feeling never existed, as is shown by the innumerable marriages which took place between the Irish and the English settlers before the Reformation, and have since taken place in spite of the difference of religion. The Roman Catholics of Ireland are not Celts, except in a few places mentioned hereafter. As long ago as 1662, the author of *Cambrensis Eversus*, himself an Anglo-Irish Roman Catholic, maintained that the majority of the inhabitants of Ireland were of English blood. In 1800, Dr. Duigenan, who was Irish of the Irish, declared that there were few in the kingdom with Irish surnames who had no British blood in their veins.² The Roman Catholics have never displayed the racial dislike of which we now hear, even during their civil wars. In 1641, the majority of the leaders of the Southern insurgents were Anglo-Irish. In 1688-89, the favourite heroes of the Roman Catholics were Tirconnell, an Englishman, and Sarsfield, an Anglo-

¹ Report from the secret committee of the House of Commons, 1798.

² *Fair Representation of the present Political State of Ireland*, Dublin, 1800.

Irishman. In 1798, many of the leaders in the rebellion were Protestants and Anglo-Irish. The six counties in which the rebellion of 1798 raged, *viz.*, Dublin, Kildare, Meath, Carlow, Wicklow and Wexford, had been most thickly planted by immigrants from England, and the majority of the peasantry in these counties had British names.¹ Four of the counties had formed the English Pale. Wexford is a very remarkable case. The inhabitants of this county were mainly descended from the early English settlers, but they had become Roman Catholics, and in the rebellion of 1798, fought against the English Government with splendid courage and partial success. While the Eastern counties were thus disturbed, the whole West, where, in the mountainous parts of Connaught and the mountains of Cork and Kerry, the remnants of the Irish Celts still lingered and preserved their language, was free from any taint of rebellion. In truth, the long hostility, which England and Great Britain have experienced in Ireland, has come, not from the kindly and social Irish Celts, whose missionary labours in the past have rendered their name famous, but from men of the mixed race, in whose veins there ran English or Scotch blood.

¹ *Fair Representation of the present Political State of Ireland*, Dublin, 1800.

CHAPTER XXVII.

THE LEGISLATIVE UNION OF 1800.

ALL sorts and conditions of men have assailed the Legislative Union of 1800, on the ground that it was passed by bribery ; and corruption they add for the purpose of lending a blacker colour to their invective. All separatists who are enemies to the connection between Ireland and Great Britain, all repealers who would reduce it to the single tie of a common executive ; all home-rulers who are repealers with a new name, and all who are incapable of conceiving the idea of empire, have united to decry it. Even British premiers and members of British Cabinets have not been ashamed to join the motley throng in the endeavour to undo the work of the great statesmen, who secured to England that she should develop in her own way, and not according to French ideas.

The leading politicians who have endeavoured to dismember the heart of the empire for party purposes, all allege the same excuse for their conduct, namely, that the Legislative Union of 1800 was carried by bribery. These men appear to be wholly unacquainted with the wise maxim of public law, *quod non fieri debuit, factum valet*. In international matters, they say, there must be no limitation to, no forgetfulness of, complaints. The rule of private law, that it is for the benefit of the State that disputes should cease, has no application to questions between nations. The most remote transactions may be reviewed and confirmed

or annulled. They cannot see that the manner in which the Scotch or Irish Union was effected is a question, not for statesmen, but for the historian. Even if we grant that the Irish Union was carried by bribery, that fact would furnish no reason for its repeal. The real questions for a statesman are: has it worked well or ill? has it produced oppression or misery? or has it given to the Irish people, without distinction of class, benefits which were not even dreamt of before? It has given emancipation to the Roman Catholics; a poor law to the starving; education to the needy; medical assistance to all; and to the peasantry a land code more favourable to their industry than that of any other country in the world. These are strong arguments for the Irish Union, but they make no impression on some of our politicians.

Of every individual in the classes mentioned above as opponents of the Irish Union, the same thing may be affirmed, namely, that the loudness of his clamour against it is in exact proportion to his ignorance of the whole matter.

• Mr. Lecky has furnished us with an amusing instance of the perfect confidence of ignorance. In a little book, published at a time when all his knowledge of Irish history was derived from a foolish and untruthful book written by the younger Grattan, a repealer,¹ he told his readers that "corruption so vast, so flagrant, and so shameful that it has no parallel in the history of representative institutions" was made use of to pass the Union.² Ten years later he expressed similar opinions in a second edition of his crude and premature production. In the second volume of his *History of England* he tells us that "the sacrifice of nationality," for so he absurdly terms the Union of two kindred Parliaments in the same empire, "was extorted by the

¹ *Grattan's Life*.

² *Leaders of Public Opinion in Ireland*, p. 140.

most enormous corruption in the history of representative institutions".¹ Even in his eighth volume he says "a shameful traffic in votes began, and many men of great name and position in the world were bought as literally as cattle in the cattle market".² These are grave accusations against an International Treaty of Union, carried on and concluded under the eyes of the greatest Minister that ever directed the efforts of Great Britain. But they suggest the reflection: What punishment is due to the writer who circulates them and is unable to prove them? Mr. Lecky's attempts at proof are as ridiculous as ineffectual. Though he knew that Lord Cornwallis had declared that his Government had neither the means to bribe, nor the wish to resort to such vile measures,³ he gravely quotes a passage from that nobleman's correspondence, in which Cornwallis expressed his hatred of jobbing, as a proof of his own numerous and individual acts of bribery. The only other proof of the corruption which he termed vast, flagrant, and shameful is even more ridiculous, namely, "one supporter of the Government in the House of Commons appears to have been excused a debt of £3,000".⁴ We know nothing of the details of this matter, nor does Mr. Lecky. It may have been a perfectly innocent transaction. But having made accusations against the Union at times when he knew nothing about it, he was obliged to support his statements by some show of evidence. Hence it is that he produced this absurd instance, which he does not even positively affirm, but brings it forward under an "it appears".

Such is the flimsy evidence upon which we are asked to impeach or set aside the great and necessary Settlement of 1800—necessary for the security of Great Britain, ten

¹ Vol. ii., p. 60.

² Vol. viii., p. 337.

³ *Cornwallis Correspondence*, iii., p. 180.

⁴ *History of England*, viii., p. 409.

times more necessary for distracted and ill-governed Ireland. No better evidence is forthcoming or will ever be produced. Two British premiers have advocated Home Rule—the first step to which must be the repeal of the Act of Union. Prime Ministers, with hands full of patronage, never want volunteers to assist them. We may be certain that every nook and cranny in which an Irish record might be supposed to lie have been searched and turned inside out to find an incriminating document. But in vain; as, indeed, the miserable nonsense which is produced as evidence sufficiently proves.

One indisputable fact clears the air of all the groundless assertions of Mr. Lecky and other partisans. The Legislative Union of 1800 was gladly accepted by nineteen-twentieths of the inhabitants of Ireland, as a short analysis will show. The population of Ireland was then five millions. Of these, four millions were Roman Catholics; the Presbyterians amounted to about half a million, and the Episcopalians to the same number.

The Roman Catholics, who are now, as a body, opposed to a connection with Great Britain, gave to the Union in 1800 a warm and hearty support. Their peerage was strongly in favour of it. Their four archbishops, fourteen¹ bishops, and the agent of the secular bishops were as strongly for it. Nor were the inferior clergy behind their bishops. Grattan was so irritated by the assistance which they leant to the measure that in his speech on the 15th of January, 1800, he called them “a band of prostituted men engaged in the support of Government”.²

Though it is an undoubted fact that the Roman Catholics

¹ One bishop, Dr. Hussey, was omitted in Ingram's *History of the Union of 1800*.

² It would be absurd to repeat here the proofs of these facts. They are set forth in Ingram's *History of the Union of 1800*.

supported the Union, we must not attach too much importance to it. They did so merely in the hope of sooner obtaining their emancipation. They knew that it would not be granted by their native Parliament on account of the danger to the Protestant Establishment, and the fear of weakening existing titles to land. But as soon as emancipation had been granted, they endeavoured to obtain a repeal of that Union which they themselves had earnestly forwarded. Nor was their conduct inconsistent. From the time when the power of the tribal chiefs was broken by the Elizabethan conquest, and the bishops, who up to that time had possessed very little power, became the leaders of the Irish community, a deep disaffection has lurked in the Roman Catholic mind. Emancipation was the first step to power, and to obtain it they sacrificed for a time their hatred to a Protestant State.

The Presbyterians had learned a lesson which they have never forgotten. Their body was in favour of the Legislative Union. In October, 1799, Lord Cornwallis made a tour in the North for the purpose of learning the sentiments of the people on the subject of a Union. He was well satisfied with his observation, and in a letter to the Duke of Portland speaks of his "complete success in the Northern counties".¹

The only opposition offered to the Union came from about one-half of the Episcopalians. The first trial of strength between the opponents of that measure and its supporters took place in the Commons as early as the 22nd of January, 1799, when the members for and against it were 106 and 105. In the Lords, there was a strong and decided majority in favour of the measure.

This first division in the Commons suggests some

¹ Cornwallis, *Correspondence*, iii., p. 140.

reflections. Where, it may be asked, was that army of 116 placemen, who, we are told, voted regularly with the Government? They did not make their appearance on this occasion. The first observation a student of Irish History makes is on the small influence the British Government exercised over the Irish Parliament both before and after 1782. That Government was absolutely powerless before the prejudices, the desires, or the supposed interests of the Irish Parliament. With all its alleged power and patronage, the British Government laboured in vain for eighty years to obtain equal rights for the Presbyterians. It could not save the King's Hereditary Revenue from being deliberately wasted. The Settlement of 1782 was extorted from it. It could not induce the Irish Parliament in 1785 to accept the most beneficial offer ever made to a nation. Nor could it restrain the same Parliament in its madness from establishing in 1789 a precedent for separation. Now, when the powers, patronage, places, and peculiar privileges of the Irish Parliament were threatened by the proposed Union, we may be certain that it was not more tractable than on former occasions. But the wide-spread conspiracy of the United Irishmen, the repeated attempts of the French, the bloody rebellion of 1798, the almost universal disaffection of the Roman Catholics, and the dreadful condition of the country, had converted many to the absolute necessity of strengthening the empire by a close union between its parts.

Nothing in the history of the Union is so wonderful as the support given to it from the first by a full half of the Episcopalians. It was to have been expected that the whole of that favoured body would have offered a strenuous opposition to the measure. For every change was sure to diminish their power and importance. As matters stood, they were in possession of everything. They monopolised

the whole power and patronage of the kingdom. The Parliament was theirs. The Corporations were theirs. The close boroughs were theirs. All the offices throughout the kingdom, great or small, were filled by them. Every member of their body, from the lordly borough-monger to the smallest tradesman in a close borough, had an immediate and personal interest in a Parliament, which so freely distributed among them the revenue of the country in absurd bounties and premiums. Yet, in the opinion of many of them, all these peculiar advantages were overbalanced by the frightful insecurity which threatened all that was dear to them. "It has been asserted," said William Johnson, afterwards a judge, "that the supporters of the Union have been bought by the Minister. No, sir; I will tell you what has bought them—the state of the country and the state of Europe. What has bought them has bought me; unacquainted with the Minister, the Castle, or its followers, I took up the question of an Incorporate Union. I took it up in the bosom of privacy and retirement; it was forced on me by the growing calamities of the country, and I deliberated on it, uninfluenced by a single motive other than an anxious desire to meet the peculiar evils by which we were afflicted." ¹

Some other statements of Mr. Lecky deserve attention. He tells us that the whole unbribed intellect of Ireland was against the Union, or, in other words, that the whole intellect of Ireland that was in favour of that measure was bribed. The infinite folly, prejudice and ignorance displayed in this assertion are sufficient to destroy the credit of the writer who makes it. According to Mr. Lecky, the chief judges of the land, the only two statesmen the Irish Parliament ever produced, Clare and Castlereagh, and the

¹ Report of the debate in the House of Commons on Friday, 14th of February, 1800, Dublin, 1800.

noblest teacher of religion then living, Alexander Knox, were bribed. But why speak of individuals? All the intellect among the majority of the Protestant bishops, or among the Presbyterian ministers and laity, or among the Roman Catholic bishops, priests and laity, or among the vast majority of the Lords, or among the fast-growing majority in the Commons, were all bribed. Let us compare this monstrous indictment against the larger part of the intellect of Ireland with the language of William, afterwards Sir William, Smith, a gentleman who took a distinguished part in the Union debates, and knew what he was talking about: "You [Grattan] cannot deny that this measure [Union] meets with countenance from much of the property, intelligence and virtue of the country, and you flippantly allege that the plan, which they thus zealously support, so manifestly extinguishes the Constitution, that you will not waste time in proving so plain a truth! This you state, *en passant*, as the effect of a measure, which I, on the contrary, on my conscience believe to be that which, since Ireland was a country, has received the most honourable and disinterested support, and has been encountered with the most corrupt and selfish opposition".¹

But let us ask, where or with whom did this intellect, upon which Mr. Lecky lays such stress, reside? Not certainly with Grattan; who uttered as much nonsense about the Legislative Union as he had spoken about a Commercial Union in 1785, about the Regency question in 1789, and in his *Address to his Fellow Citizens* in 1797; and who, like his admirer, Mr. Lecky, was unable to distinguish between the extinction of a Parliament and its union with another which possessed a common estate, *viz.*, the King. Not with Plunket, who, with the

¹ A letter to Henry Grattan, Dublin, 1800.

Scotch Union staring him in the face, denied the competence of the Irish Parliament to unite itself with a kindred Parliament in the same empire, and spoke the treason for which, when put into practice, he prosecuted capitally Robert Emmet three years later. Not with the Speaker, who published his speech against the Union, forty pages of which were taken up in proving a truism, namely, that the Settlement of 1782 was final, and the remainder occupied either in retracting the opinions he had advanced in 1785, or making sophistical statements respecting the trade of Ireland. The truth is that the intellect of the supporters of the Union was immeasurably superior to that of its opponents. Where among the Opposition was a match to be found for the political wisdom and foresight of Lord Clare? If the advice of this statesman had been taken by the Irish Parliament in 1789, its successor might now be sitting in College Green. But Grattan and the Pigmies prevailed, and established an argument for Union, which all the efforts of the Opposition could not do away. Or was there one among the opponents of the Union who possessed the calm judgment and debating power of Lord Castlereagh? Take all the speeches of the anti-Unionists, lump them together, and then compare them with the unanswerable argument of William Smith,¹ and their poverty in reasoning will clearly appear. There was plenty of denunciation, threatening, declamation and inflammatory language in their speeches, but argument and reasoning were absent.²

The same superiority may be observed in the Unionist

¹ Substance of Mr. William Smith's Speech on the subject of a Legislative Union, Dublin, 1799.

² Madden makes some sensible remarks on the inflammatory speeches of Plunket, Saurin, Parsons, Bushe, and Grattan, in the years 1799 and 1800 (*United Irishmen*, iii., 489).

pamphlets over those of its opponents. Four of those written in favour of that measure are of a very high order of merit; of these, three were written by William Smith, and one by Mr. Redford, a barrister. If these had referred to a crisis in Great Britain, they would have been carefully preserved for the use of future students; but, as they treat of the affairs of Ireland, they are unknown and neglected.

Mr. Lecky tells us that the Union was decisively rejected by the House of Commons in 1799.¹ Now, what are the facts? The speech from the throne on the 22nd of January, 1799, merely invited the Commons to take into their consideration the means of uniting the two kingdoms more closely. An Address to the King was moved, in which the House undertook to give their consideration to the means of strengthening the connection. The Opposition endeavoured to have this undertaking removed from the Address, and were beaten by a majority of one. The Address was reported on the 24th of January, and on that day the Opposition renewed their efforts and succeeded by five of a majority. Immediately after this victory of the Opposition, George Ponsonby attempted to pledge the House against any further discussion of the Union, but the House would not even listen to the proposal. On the 15th of February, Lord Corry made another attempt of the same kind. He moved that the House should consider an Address to the King, declaring a separate Parliament to be essential to the interests of Ireland. The House refused to consider the motion, and rejected it by a majority of twenty. In April, the Opposition weakened themselves greatly by their unfortunate Regency Bill. By introducing this bill, they admitted the imperfect condition of the con-

¹ Vol. viii., p. 402.

nection between the two countries; by dropping it they confessed that they were unable to remedy its defects. On the 15th of May, Lord Castlereagh moved for an adjournment to the 1st of June, on which day the Parliament was prorogued to the 15th of January, 1800. From this short recital it will appear (1) that during the year 1799 the Union was not brought forward by Government, or proposed for the consideration of the House, and (2) that, when it was dragged in by the Opposition, the House carefully guarded itself against rejecting it or preventing its discussion.

Another of Mr. Lecky's statements is that between the prorogation of Parliament in 1799 and the debates of 1800 "no less than sixty-three seats became vacant".¹ The authority cited for this statement is *Grattan's Speeches*, iv., p. 37. But Grattan never made such an assertion. When we examine the reference, we find the statement attributed to Mr. Saurin, the gentleman who had solicited the officers of the yeomanry corps in Dublin to sign a declaration that they would lay down their arms if the Union was brought forward.² To this imperfect information Mr. Lecky adds "the great majority of these changes was due to the conversion of the borough-owners". This is, as usual with the author, mere guess-work. The fact is that there must have been some changes and vacancies at the close of the session of 1799, but of their number we have no evidence upon which we can rely. They were not owing to the conversion of the borough-owners, nor had the Government anything to do with them. They occurred in the following way. It was a rule of honour seldom violated, that a member who sat for a close borough should vote as his patron did: if he found himself unable to do so, he was

¹ vol. viii., p. 402.

² Cornwallis, *Correspondence*, iii., p. 29.

bound to retire. When Parliament met on the 22nd January, 1799, there were vague rumours as to the intentions of Government, but there was nothing to disturb the relations between the borough-owners and their nominees. But the Opposition, hoping to take the Government by surprise, prematurely brought forward the question of Union, and it was debated several times during the session of 1799. At the close of the session, the reckoning between the patrons of boroughs and their nominees naturally began. Many of the former were opposed to the Union. Thus, Lord Enniskillen and his connections controlled nine votes, and Lord Kingston five against the Union.¹ The Duke of Leinster, Lords Downshire, Arran, Charlemont, Belmore, Granard, all anti-Unionists, possessed boroughs. On the other hand, many borough-owners were Unionists. As soon as the struggle became certain, the nominees on both sides, who differed from their patrons on the question of Union, quietly vacated their seats according to the rule which none might violate without loss of reputation.

The Union altered and diminished most materially the position and privileges of the Irish Peers. It reduced them from the status of Lords of Parliament, sitting in their own right, and representing themselves alone, to that of a represented body. They were also shabbily treated in the matter of representation in the Imperial Parliament. A third of their former number was allowed in the case of the Irish Commons, but the Peers were restricted to less than one-seventh. To an impartial observer, the diminution of their honours, powers and privileges, and the scanty number of representatives allowed them, would be a strong argument for a large promotion of the most powerful among them to the British peerage. But all such reasoning is

¹ Beresford, *Correspondence*, ii., p. 209.

foreign to Mr. Lecky. In his desire to disparage the Union, he scents bribery everywhere, even among the new representative peers, though they were not to be appointed till after the Union had been carried. "There was another form of bribe," he writes, "which had probably not less influence. If the Union was carried, a new object of ambition of the first magnitude would be at once opened to the Irish peerage. No promotion in that peerage was likely to be so much coveted as the position of representative peer, which was to be enjoyed by twenty-eight members of the Irish peerage, and was to place them for life in the Imperial House of Lords."¹

Mr. Lecky was so bent on making an attack on the Union that he was unable to see the absurdity of this statement. He wishes us to believe that a remote chance of being elected a representative peer was a sufficient inducement, or, as he terms it, a bribe, for a hereditary legislator to vote for a measure which degraded his order and reduced himself to be a candidate for that honour which he already possessed in his own right. To appear as representatives in an Assembly, which was almost entirely composed of hereditary legislators, must have been a grief to many of those who had been equally great in their own country. The proposed change in the Irish peerage was, with many, a strong argument against the Union, and furnished Mr. Foster with materials for one of his appeals to the pride of the country.²

Without a tittle of evidence, Mr. Lecky assures us that all the peerages, granted during the administration of Lord Cornwallis, with the exception of eleven, were given and accepted as bribes. He makes no allowance for the noble services of many before and during the rebellion, nor for

¹ Vol. viii., p. 398.

² Plowden, iii., p. 1,037.

the support given to the Union. This support was very notable, and given under circumstances which would have deterred many. All who worked or voted for the Union had to bear, during the long struggle, every contumely and reproach, for the anti-Unionist represented them as venal traitors and betrayers of their country. As William Smith wrote to Grattan, "mortified at perceiving the change of public opinion, enraged to find those prejudices subsiding, which alone concealed the weakness and deformity of their cause—your party attempted to brand with the title of apostates all those who have listened to reason or reflection; who have magnanimously retracted an hasty opinion, and preferred encountering the obloquy of a faction to working the injury of their country".¹

The Royal assent to the Union Bill was given on the 1st of August, 1800, and, the next day, the doors were closed on the most worthless and incompetent Assembly that ever misgoverned a country.

¹ Letter to Henry Grattan, M.P., 10th February, 1800, Dublin.

INDEX.

- ABERCROMBY, Sir R., commander-in-chief—**
Violation of Viceroy's proclamation, ii., 286, 287.
Resignation, ii., 292.
- Absentees from Ireland—**
Contempt of duty to country manifested by absentees, i., 296.
Disturbances on estates of, i., 297.
- Absentees' taxation proposal, i., 232, 295.**
Irish writers' opinion, i., 297.
Rejection of Bill, 1783, i., 353.
Vandeleur's, Mr., proposal, 1797, ii., 222.
Whig conspiracy in England, i., 296.
- Acts—**
British Acts not binding in Ireland, theory of, i., 248, 324.
Effect of doctrine held in Ireland, i., 314.
Molyneux's publication, i., 248.
English parliamentary address to William III., i., 249.
- Adrian IV.—Gift to Henry II., English king's violation of conditions, i., 57.**
- Agriculture—**
Advance after Elizabethan conquest, i., 64.
Importance of—Adam Smith on, i., 266.
Irish parliamentary views, i., 278.
Rebellion of 1641—Effect of on, i., 118, 129.
Tribal warfare hindrance to agriculture—
Lecky, Mr., on, i., 28.
System of pillage—Predatory excursions by chiefs, i., 23.
Ulster insurrection, effect of on, i., 17.
Volunteer revolt, effect of on, i., 346.
War of the Revolution, condition of agriculture after the war, i., 221.
- Alien Act, 1793, ii., 108.**
- Allegiance, oaths of—**
Charles II.'s test to Catholics—Rejection of opportunity, i., 213, 219.
Elizabeth, Queen, allegiance to—
Catholic priests' "protestation of allegiance," i., 207.
O'Neill's manifesto of 1599, i., 20.
Temporary allegiance allowed by Pope Gregory XIII., i., 19, 200.
French clergy's decision, 1682, i., 189.
Government appointments, conditions, i., 62, 63, 68.
James I.'s conditions, i., 62, 193.
Papal condemnation, i., 194, 196.
Rejection by Roman Catholics, i., 195.
Lawyers of Ireland, refusal to take the oath, i., 62.
Manning, Cardinal, on, i., 188.
Number of Catholics in 1774 swearing allegiance, i., 8.
Ossory, Bishop of, on, i., 7.

Allegiance, oaths of—*continued*—

Paris University Sacred Faculty's decision, i., 189.

Roman Catholics offered the oath in 1768, Papal intervention, i., 228.

Roman Catholics' relaxation from Penal Code Acts, conditions of oath, i., 302.

Roman Catholic Universities' decision, i., 189.

Venetian theologians' decision, 1606, i., 188.

Allen, Cardinal—Politico-religious training institution, i., 51.

Allen, William—

Anarchical Papal doctrine taught in England, i., 200.

Manifesto to English Roman Catholics, i., 202.

Report on Papistic faction in England, i., 205, 207.

Seminaries founded by, i., 204.

Stanley's, Sir W., betrayal of Deventer, letter of justification, i., 201.

American Declaration of Independence—Irish using opportunity to exact Independence claim, i., 304.

American Revolution—Grattan's references to, ii., 227, 260, 262.

Anne, Queen—

Irish parliamentary address, 1703, union of Ireland and England, i., 251, 252.

Scottish Crown succession, Act of Security, i., 331.

Analecta Sacra—

Fines exacted under Act of Uniformity in 1616, i., 70.

Malicious accusations against English Government, i., 60.

Appeal, Courts of—

English House of Lords jurisdiction, growth of, i., 264.

Writs of error from Irish to English courts question, i., 97, 148, 167, 265.

Appellate jurisdiction of the Irish House of Lords—

Irish Lords' address to king, 1719, i., 263, 265.

King's demand for precedents justifying claim, i., 96, 265.

Army—

Augmentation of troops—

Budget proposals, 1797, ii., 219.

French invasion of Ireland proposed—Grattan's speech and debate, ii., 199-202.

Increase of forces in 1793, ii., 108.

Parsons', Sir L., proposal, additional yeomanry, ii., 221.

English army in Ireland at commencement of rebellion, 1641, strength of, i., 100.

Estimates—Establishment of yeomanry in 1796, ii., 204.

French offer to arm soldiers for Ireland in 1791, ii., 184.

Irish army of 1689 in service of France, Penal Law enactment, i., 219.

James II.'s 1689 army—

French officers landing in 1689, i., 160, 161.

Incapacity of Ireland to maintain, i., 178.

Reorganisation of Roman Catholic body, i., 135, 139.

Supplies—James II.'s proclamation, i., 161.

Support of army dependent on repeal of the Settlement Acts, i., 163, 168.

Moir's, Lord, charge against the military in Ireland, ii., 276, 277.

Cavan's, Lord, reply, ii., 281.

Withdrawal of charge in Irish House of Peers, ii., 279.

Roman Catholic qualification—

English v. Irish Catholics, comparison of position, ii., 105.

Hobart's Bill, 1793, ii., 103.

Roman Catholic soldiers attending own chapels—Case of Trooper Hyland, ii., 171.

Sarsfield's proclamation in 1689, i., 219.

Tirconnell appointed commander of forces, 1686, i., 138.

Army—continued—

Tirconnell reorganisation, i., 145.

Disbandment of troops, Clarendon's remonstrance, i., 140.

Offences of soldiers—Tirconnell's encouragement of crime, i., 142.

Keating's, Judge, statements from the bench, i., 154, 156.

Social effect of Protestant disarmament, i., 141.

United Irishmen attempt to persuade soldiers from their allegiance, ii., 77, 204, 226.

United Irishmen, revolutionary army levied in 1795, ii., 187.

Voluntary Enrolment Bill, 1796—Rise of yeomanry, ii., 204.

Attainder, Act of, i., 172.

List of attainted persons—List concealed for four months, etc., i., 173, 174.

Nagle's, Sir R., presentation of Bill to James II., i., 174.

Pardon by the king—Act limiting power, i., 173, 174, 175.

Protestant massacre, advice of D'Avaux and others, i., 175.

Record of names, irregularities, i., 172.

Surrender conditions, i., 173.

Tyrone and Tirconnell, Earls of, Act passed in 1614, i., 67, 87.

BANK OF IRELAND—

Establishment in 1782, i., 328.

Payments in specie, suspension proclamation by Lord-Lieutenant, ii., 224.

Bank notes—United Irishmen, "caution to the brethren," ii., 247.

Bantry Bay—French invasion, 1796, loyalty of the Irish, ii., 208, 213, 218.

Barberini, Cardinal—Irish Catholic remonstrance, i., 216.

Barnewall, Sir P.—Intercepted letters and the power of the Pope, 1600, i., 62.

Battles from 1500-34—Mr. Richey's summary, i., 23.

Belfast—

Disturbances, 1792—

Meeting of inhabitants, resolutions passed, ii., 107.

Parliamentary Secret Committee report, ii., 80, 81, 82.

French Revolution—

Celebrations, ii., 62, 63, 94, 95.

Public meeting in 1791, ii., 216.

French War—Celebration of retreat of allied armies, ii., 96.

Invasion of Ireland, appearance of French fleet, meeting, ii., 212.

Roman Catholic Convention, delegates' visit, ii., 100.

Roman Catholic meeting, 1792, petition to Parliament for relief, debate, ii., 94.

Belling, R.—Irish Catholic petition for mitigation of Penal Laws, i., 213.

Beresford—

Dismissal by Fitzwilliam, ii., 148.

Omission to discuss Beresford's removal at Pitt's meeting, ii., 146.

Fitzwilliam's, Lord, letters to Lord Carlisle—Copy sent to Beresford, ii., 160.

Jackson's secret mission—Narrative by Tone, etc., ii., 134.

Leinster and Munster—Condition in 1798, ii., 290.

Berington, Rev. J.—

Allegiance to sovereigns, i., 190.

Catholic priests' protestation of allegiance to Elizabeth, i., 207.

Catholic punishment during reign of Elizabeth, i., 4.

Penal Laws, i., 183, 210.

Berkeley, Bishop—Destitution of the Irish peasantry, etc., i., 277 ; ii., 31.

Bills—

Heads of Bills, etc.—Irish parliamentary right of preparation, i., 146, 236, 245, 246.

Bills—continued—

Royal Assent—Power of refusing to place Great Seal on an Irish Bill after Settlement of 1782, i., 329.

Sanction by Imperial Parliament—Irish Act of 1782, ii., 38.

Bishops' authority in Ireland as substitute for chief's power, i., 54.

Blackwater Battle, 1598—O'Neill's victory, i., 16.

Blaquière, Sir J.—Augmentation of troops, Budget proposal, 1797, ii., 219, 221.

Bond, Oliver—

Arrest of United Irishmen in Bond's house, ii., 288, 289.

Evidence before Parliamentary Secret Committee, ii., 80, 236.

Libel on Parliamentary Secret Committee, prosecution, ii., 84, 85.

Borlase, Sir J.—Inspection of stores and munitions in 1641, motion, i., 98.

Borough owners in Parliament—Rule of honour for vacation of seats, ii., 307.

Bossuet—

Catholics in England, punishment, i., 4, 209.

Irish Penal Laws, i., 183.

James I.'s oath of allegiance—Rejection by Catholics, i., 195.

Boulter, Archbishop—Sacrifice of tillage to pasture, i., 274, 276.

Bounties and premiums—

Amount spent from 1773-82, Mr. Foster's statement, i., 306.

British bounties and credit—Effect on Irish trade after 1783, ii., 29.

Foster's statement in 1781—Grattan's motion for inquiry into public expenses, i., 321.

"Scrambling Committee," Clarendon on, i., 283.

Statements by Accountant-General in 1786, 1788, ii., 4.

Waste of the national resources—Bounties granted by Irish Parliament, i., 283, 284, 351, 353.

Bramhall, Archbishop—Religious toleration in Ireland previous to Rebellion of 1641, i., 72.

Brewer—Sidney's, Sir H., report on condition of Munster, 1567, i., 29.

Brissot—Invasion of Ireland proposed—Address to constituents, ii., 185.

Bruce, invasion of, 1315—Death of E. Bruce, etc., i., 33, 34.

Brunswick, House of—Irish recognition of royal rights, ii., 38.

Brussels—

Irish Commissioners' interview with Duke of Lorraine, proposed treaty, i., 116.

Papal nuncio at and Irish Catholics' oath of allegiance, 1768, intervention, i., 228.

Remonstrance, letter of condemnation, i., 215, 217.

*Buckingham, Lord—**Ordnance office fraud—*

Additional office appointments, ii., 48, 49.

Fitzwilliam's proposal to abolish, ii., 145.

Pitt's letter on advancement of Irish Whigs to office, ii., 137.

Regency question—Address of Irish Parliament to Prince of Wales, ii., 43, 44.

Refusal to present address—Censure of opposition in Parliament, ii., 44, 50.

Viceroy appointment, ii., 26.

Burke, Edmund—

Absentees, proposed taxation—Whig conspiracy against, i., 296.

Brissot's address on delay of French invasion of Ireland, preface written by Burke, ii., 185.

Commercial Union—Letter to Grattan, etc., ii., 10.

Irish Penal Laws, i., 184.

Roman Catholic petition for return of Fitzwilliam, meeting, ii., 166.

Roman Catholic soldiers and church attendance, ii., 171.

- Burke, Richard**—
 Roman Catholic Disabilities Removal Bill, 1792, ii., 89.
 Roman Catholic general committee, parliamentary agent appointment, ii., 88.
- Bush** on the condition of Ireland, 1764, ii., 31.
- Butler, Charles**—
 Catholic priests' "protestation of allegiance" to Elizabeth, i., 207.
 Temporal power claimed by Popes and the Divine Law, i., 211.
- Butler, Simon**—
 Jackson's secret mission from France—Dinner in Dublin, ii., 133.
 Libel on Secret Committee, House of Lords—Prosecution, ii., 84.
- Byrne, E.**—Roman Catholic Convention, ii., 91, 92.
- CABINET MINISTERS**, removal of—Irish petitions, ii., 232.
- Cahir**, insurgents' attack on, 1798, ii., 271, 288.
- Camden, Lord**—
 Arrival of, in Dublin—Riot, ii., 163.
 Lecky's, Mr., statement—"Disastrous" administration, ii., 263.
 Londonderry Corporation address, 1797, ii., 265-267.
 Parliamentary addresses, ii., 264, 265.
 Proclamations for suppression of disturbances, etc., ii., 97, 209, 291.
- Campbell, Dr.**, on the condition of Ireland—Survey of, 1775, ii., 31.
- Camperdown**, battle of—Engagement with Dutch fleet, 1797, ii., 255.
- Canada Bill**—Grattan's reference in debate on Roman Catholic Relief Bill, 1795, ii., 175.
- Canning, George**—Dr. Duigenan's reply to Grattan's address to fellow-citizens—Reference to in Imperial Parliament, ii., 263.
- Carew**—Rebellion of 1641—Prophecy, i., 102.
- Carhampton, Lord**—
 Defender outrages—
 Compulsory service of prisoners in the fleet, ii., 120, 122, 187.
 Debate on Magistrates' Indemnity Bill, ii., 191.
 Insurrection in Connaught, suppression, ii., 187, 253.
- Carlisle, Lord**—
 Fitzwilliam's letters—Recall from Ireland—Carlisle's censure, ii., 159, 160.
 Viceroyalty—Duration of office and attitude of Irish Commons towards Carlisle, i., 318, 325.
- Caron, Father**—Massacres of 1641, evidence, i., 104.
- Carte** on the Explanatory Act of Settlement, 1665, i., 134.
- Castlehaven, Lord**—Massacres of 1641, evidence, i., 104.
- Castlereagh, Lord**—
 Absentee tax, opposition, ii., 223.
 Debating power, union, 1800, debates, ii., 305.
 Union, 1800—Bribery accusation, Mr. Lecky's statement, ii., 303.
- Catesby**—Gunpowder Plot, influence of Papal briefs, i., 57.
- Cattle**—
 Houghing practice in Ireland, i., 272.
 Killing cattle—Proclamation forbidding, i., 121.
- Cavan, Lord**—Statement made by Lord Moira against the army, reply, ii., 281.
- Celts of Ireland**—
 Designation of Roman Catholic subjects, i., 226.
 Roman Catholics and the racial antipathy theory, ii., 295.
- Chapelizod**, artillery stationed at—United Irishmen, conspiracy against, ii., 294.
- Charlemont, Lord**—
 Disturbances between Defenders and Presbyterians in 1787, manifesto, ii., 114.

Charlemont, Lord—*continued*—

- Fitzwilliam's appeal for support on acceptance of Viceroyalty, ii., 138.
- Octennial Parliament, 1769—Power of the "Undertakers" destroyed, i., 293.
- Volunteer address, 1784—Limitation of right of suffrage, ii., 59.
- Volunteers' revolt and parliamentary reform scheme, i., 337, 340.
- Whig Club formation, ii., 50.

Charles I.—

- Crown offered to foreign prince by Roman Catholics, i., 105.
- Execution of—Irish Presbyterian protest, ii., 56.
- "Graces" granted to Ireland, i., 75, 97, 98.
- Judicial power of an Irish Parliament—Demand for precedent cases, i., 96, 265.
- Land question—Irish deputation in 1628, i., 74.
- Letter to Irish Lords Justices in 1641—Reported conspiracy, i., 68.

Charles II.—

- Descent of Irish Roman Catholics, i., 226.
- Irish land claimants, grievances in 1670—Commission of inquiry, appointment, i., 135.
- Irish Roman Catholic dissensions, remonstrance presented, 1666, i., 213.
- Roman Catholic oath of allegiance, rejection in 1666, i., 213.
- Settlement of Ireland, declaration, i., 131.

Charter Schools—Appropriated duties grant, i., 238.

Chichester, Deputy—

- Fines exacted by Act of Uniformity in 1616, i., 70.
- Grievances of Irish subjects, i., 81, 82.
- Prorogation of Irish Parliament, i., 85.
- Speaker of Irish Commons, election of—Scene in the House, i., 82, 83.

Civil list charges—Consolidated fund, Pitt's scheme, ii., 108.

Clan customs and tribal warfare—

- Abolition of clan system, i., 13, 24, 37.
- Anglo-Irish nobles and Irish chiefs, comparison, i., 46.
- Desmond's, Earl of, attacks, Lecky on, i., 28.
- Fratricide among clans, influence of fosterage system, i., 25.
- Lecky's passage on tribal warfare, etc., i., 28.
- Religious scruples, i., 53, 54.
- Tactics in warfare, difference of opinion between O'Neill and O'Donnell, i., 21.
- Ulster insurrection of 1595, clans joining, i., 17.

Clanrickard, second Earl of—Letter detailing family feuds, i., 46.

Clanrickard, Lord—

- Deputy appointment, 1650, i., 116.
- Excommunication against, signed at Armagh Bishops' Synod, i., 117.

Clare, Lord—

- Commercial union between Great Britain and Ireland, ii., 10.
- Fox, Mr.—Misrepresentation made in statement, ii., 231.
- Grattan's Reform Bill, ii., 241.
- Moir's, Lord, conciliation proposal—
Speech in Irish Parliament, 1798, ii., 281.
- United Irishmen resolution, ii., 285.
- Revenue waste and "no surplus" policy of the Irish Parliament, i., 284.
- Tone's narrative of Jackson's secret mission, ii., 134. *See also* Fitzgibbon.

Clarendon, Lord—

- Absentee tax rejection, i., 297.
- Army reorganisation by Tirconnell, complaints, i., 139, 140, 142.
- Lord-Lieutenant of Ireland appointment, i., 137, 138.
- Religious toleration in Ireland previous to rebellion of 1641, i., 72.

- Clarendon, Lord—*continued*—
 Revenue of Ireland, i., 223.
 Wars of Great Britain—Irish financial contributions, i., 241.
- Clement VIII.—
 O'Neill's rebellion, support of, i., 36.
 Opposition to James I.'s succession, i., 56.
 Rebellions in Irish towns, Papal briefs, i., 57.
- Clement XIV.—Bull *In Cœna Domini*, public reading prohibited, i., 197.
- Clergy—
 Education at foreign seminaries, i., 51.
 Masters of the kingdom—Rebellion of 1641, i., 110.
- Clogher, Bishop of—Radcliffe, Sir G.—Interview with, i., 60.
- Cloncurry, Lord—Censure against soldiers' outrages, Mr. Lecky's statement, ii., 278.
- Coals—Importation from Great Britain to Ireland, Act prohibiting, i., 167.
- Cobus, Spanish Ambassador in Ireland—Ulster insurrection, i., 16.
- Coercion Acts—Revelation of condition of Ireland in 1784-88, ii., 29.
- Colonial trade—
 Commercial code relaxation for Ireland, 1778, i., 307, 311.
 Commercial union scheme, etc., ii., 16, 17.
 Free Trade for Ireland—Debate in Irish Parliament, Grattan's speech, etc., i., 312, 313.
 Irish Acts in conformity with British legislation, examples of, ii., 17, 18, 19.
- Colonies of England, Grattan's description, speech in 1796, ii., 205.
- Colville, Sir J.—Peasantry of Ireland, i., 288.
- Commercial code relaxation in 1778—Decline of Irish trade, i., 307.
- Commercial Union scheme, 1785—
 Benefits to Ireland if treaty had been accepted, ii., 3, 23, 56.
 Grattan on, ii., 16, 17, 19, 201, 304.
 Irish eleven propositions as distinguished from Pitt's proposals, ii., 2, 3.
 Irish parliamentary address to George III., 1784, i., 350, 351.
 King's Speech—Opening of Imperial Parliament, 1785, ii., 1.
 Pitt's proposals and consideration of Irish scheme, ii., 1, 2.
 British laws re-enacted in Ireland clause, ii., 9.
 Grattan's objection, ii., 2, 16, 17, 19.
 Burke's opposition and conduct, ii., 10.
 Proposition No. X.—Contribution by Ireland of hereditary revenue surplus, ii., 3.
 Rejection by Irish Parliament, etc., ii., 2, 5.
 Twenty resolutions scheme—Debate and acceptance of resolutions, ii., 9-11.
 Rejection of treaty by the Irish Parliament, ii., 15.
 Effect on condition of Ireland, ii., 23.
 Grattan's influence, ii., 229.
 Legislative Union, necessity for, ii., 32, 33.
- Committee of Public Safety in Paris—French agitators in Ireland, 1793, meeting, ii., 183, 184.
- Commissions—
 Defective titles—Commission for remedying, appointment, i., 76.
 Land grievances, 1670, commission of inquiry, i., 135.
 Parliamentary grievances, 1611—James I.'s reply, i., 85, 86.
 Special commission appointed to clear Irish jails—Disarmament of Protestants, etc., i., 142.
- Connaught—
 Plantation scheme—
 Accusation against Strafford, ii., 74, 77.
 Irish Bill for, i., 80.

Connaught—*continued*—

Rebellion of 1798—Tranquillity of the province previous to French landing in Killala Bay, ii., 188.

Ulster insurrection of 1595—Peace terms, etc., i., 15, 16.

United Irishmen, efforts to disturb the province, failure of, ii., 253.

Connaught, King of—Redress of grievances, letter to Henry III., etc., i., 32.

Conolly, Mr.—

Defender outrages—Punishment Act, 1796, ii., 121.

Magistrates' Indemnity Bill, 1796, ii., 191.

Regency question—Address of Irish Parliament to Prince of Wales, ii., 41.

United Irishmen, attack on house and property, ii., 269.

Consolidated fund—Pitt's scheme, 1793, ii., 108.

Conspiracies to Murder Bill, 1796, ii., 190.

Constance, Council of—Secular government and the right of interference with Roman Church, decision, i., 177.

Constitutional Information Society, ii., 218.

Convention Act, 1793, provisions of, ii., 108.

Cooke—Dismissal from office by Fitzwilliam, ii., 148.

Corn bounties—Reduction of revenue policy, 1759, i., 234, 239.

Abolition of bounties in 1797, i., 291.

Collection frauds, i., 301.

Continuance of system in 1782-84, i., 351.

Irish Acts of 1757, i., 289.

Perpetuity of bounty—Duke of Bedford's opposition, i., 290.

Reduction of bounty on land carriage, 1780, i., 291.

Sum spent from 1773-82, i., 305, 306.

Young, A., on, i., 287, 291.

Cornwallis, Lord—

Administration—Bribery of peers, Lecky's statement, ii., 309.

Legislative union, 1800—Presbyterian support—Tour in north of Ireland, ii., 301.

Coronation oath and the difficulty in Grattan's Roman Catholic Relief Bill, ii., 170, 175, 205.

Corporation Act—

Dissenters' restrictions from office, ii., 105.

Repeal in favour of Catholics—Misstatement by Fox, ii., 232.

Corporations—

Franchise—Grattan's Reform Bill, 1782, ii., 237.

Roman Catholic exclusion from office, Fox on, ii., 231.

Surrender of town charters to Tirconnell, i., 151, 152.

Corry, Lord—Union of 1800, rejection of proposal in 1799—Lecky's statement, ii., 306.

Cotton yarn duties—Repeal in 1778, i., 307, 308.

County cess—Grand juries of Ireland, abuse of power, i., 301.

Cox, Sir R.—Irish revenue collection system, 1776, i., 240.

Cradock, Col.—Peep of Day Boys' disturbances, ii., 129.

Croft Hill—Union of Ulster forces with the "Pale," i., 103.

Crown of England and Ireland—

Limitation to Protestant sovereigns—Grattan's Roman Catholic Relief Bill difficulty, ii., 170, 175, 205.

Tirconnell's design on, in case of James II.'s failure in England, i., 157.

Crumpe—

Peasantry of Ireland—Destitute state in 1793, ii., 32.

Curfew Bell—Existence in Ireland, Lord Moira's statement in 1798, ii., 276, 277.

Curran—

Conduct of the Cabinet—Curran's motion of condemnation, ii., 177.

Fitzwilliam episode, discussion at Pitt's house, omission of Curran's name, ii., 145.

Curran—continued—

- Price of labour, and committee to inquire into state of the poor, ii., 190.
- Secession from Parliament after debate on Reform Bill, ii., 242.
- Curry—"Review of the civil wars of Ireland"—Hallam's criticism, i., 12.
- Custom duties—Equality between England and Ireland—Grattan's amendment to the Address, etc., 1796, ii., 190, 191, 192.
- Custom House, building—Parliamentary grant in 1785, i., 353.
- Customs and Excise—Boards of management—Lord Townshend's scheme, i., 294.

D'AVAUZ—

- Acts of Settlement, proposed repeal, i., 161, 168.
- Appointment on Council called by James II. in 1689, i., 161.
- Officers of the Irish army under James II., i., 140.
- Protestant rising, massacre advised, i., 175.
- D'Ossat, Cardinal—Seminaries founded by Allen and Parson, i., 52, 204.
- Darcy, Mr. N.—Dismissed soldiers, Tirconnell's army reorganisation, i., 140.
- Dartmouth, Lord—Inspection of Irish military posts for King James II., i., 136.
- Davis, Sir J.—Election as Speaker in Irish Parliament, 1613, proposal, i., 82.
- Dawson, Mr.—Parliamentary grants and the waste of national resources, i., 287.
- Dease, Roman Catholic bishop refusing to attend Kells Synod, 1642, i., 126.
- Defence of the King's person—Association formed in 1696, etc., i., 247.
- Defenderism—
 - Origin of—Farmers' quarrel near Markethill, ii., 113.
 - Prevalency in Dublin—Evidence of Defenders in trials, 1795-96, ii., 177.
 - Spread of, i., 116, 193.
- Defenders—Outrages, disturbances, etc.—
 - Amalgamation with United Irishmen, ii., 72, 78, 123, 183.
 - Courts-martial established by—Sentences passed on prisoners, ii., 119, 120.
 - Grattan's justification of crimes, etc.—Address and pamphlet, ii., 197, 259.
 - Oaths taken by defenders—
 - Right, Capt.—Defenders' oath of obedience, ii., 118.
 - Statement of loyalty to King George, etc., ii., 178.
 - Organisation, Tone's description, ii., 180.
 - Relations between United Irishmen, Catholic Committee and Defenders—Publication of Sweetman's letter, ii., 179, 180.
 - Roman Catholic prelates—Censure of Defenders, ii., 126.
- Derry, Bishop of, elected delegate to Volunteer Congress, ii., 60.
- Desmond, Earl of—Title conferred on Fitzgerald by O'Neill, i., 17, 20.
- Desmond insurrection, i., 15, 28, 54.
- Deventer, betrayal to the Spaniards by Sir W. Stanley, i., 201.
- Diamond village—Battle between Defenders and Peep of Day Boys, ii., 126, 127.
- Dissenters—
 - Dublin Parliament, practical exclusion of dissenters, i., 230.
 - Privilege for taking the oath, grant in 1782, i., 328.
 - Public office qualifications, i., 224; ii., 105. *See also* Presbyterians.
- Dobbs, A.—Irish woollen manufacture and the English compact, 1698, i., 253, 255, 256, 259.
- Douay politico-religious school, i., 51, 52.
- Irish lawyers educated at, i., 61.
- Drennan, Dr.—
 - Circular letter on Irish union, extracts from, ii., 67, 68.
 - Constitutional Information Society, Lord Fitzwilliam's membership, ii., 218.

Drennan, Dr.—continued—

- Dublin United Irishmen, formation of society, ii., 65, 67.
- Parliamentary reform, etc.—Publication of letters in 1784, ii., 61.
- Ponsonby's Reform Bill, 1794—Letter to Fitzwilliam, ii., 132.
- United Irishmen reform scheme, ii., 218.

Duigenan, Dr.—

- Descent of Irish Roman Catholics, ii., 295.
- Fox, alleged libel on the Irish Parliament—Grattan's defence, ii., 229.
- Grattan's address to fellow-citizens of Dublin—Reply, ii., 263.
- Dungannon volunteer meetings—Parliamentary reform schemes, etc., i., 322, 337; ii., 57, 107, 182.
- Dutch aid to French invasion of Ireland, ii., 248, 253.
- Camperdown, battle of, 1797, ii., 255.

EAST INDIAN trade—Opened to Irish manufacturers, 1793, ii., 109.**Edward III.—Government of the Irish "Pale," Irish attitude, i., 37.****Edward VI.—Penal Law against heresy, i., 185.****Elizabeth, Queen—**

- "Admonition" on oath of supremacy, i., 69.
- Allegiance to—
 - Catholic priests' "protestation of allegiance," i., 207.
 - Schism among inferior clergy in Ireland—Pontiff's commands, i., 19.
- Death of—Papal briefs sent to England by Clement VIII., i., 56.
- Excommunication—
 - Allen's manifesto by order of Pope Sixtus V., etc., i., 201, 202.
 - O'Neill's Bequest to the Pope, i., 18.
 - Pius V.'s Bull, i., 193.
 - Modification and renewal by Gregory XIII., i., 199, 200.
- Oath of supremacy a qualification for Government office, i., 63.
- Emigration of traders and workmen—Decline of trade, i., 143, 144, 351.
- Emmet, Thomas—
 - Arrest in 1798, ii., 289.
 - Evidence before Parliamentary Secret Committee, i., 73, 186, 208.
- Episcopalians—
 - British support—
 - Pitt's intimation of non-support in event of contest with Catholics, ii., 102, 103.
 - Policy of conciliation with Imperial Parliament, opposite course pursued, ii., 55.
 - Domination—Presbyterian resistance, ii., 56.
 - Flight from Ireland before Williamite conquest, i., 244.
- Evelyn on the appointment of Tirconnell as Lord-Lieutenant, i., 146.
- Everard, Sir J.—
 - Election as Speaker, Irish Commons, 1613—Proposal, i., 83.
 - Judge of the King's Bench—Appointment in James's I. reign, i., 63.

FALKLAND, Lord—Land question, 1628, king's instructions, i., 75.**Feckenham, Abbot, on the Act of Supremacy, i., 9.****Ferns, Bishop of—Treaty with Duke of Lorraine, i., 116.****Fitzgerald, Lord E.—**

- Antrim by-election, Arthur O'Connor as candidate, ii., 211.
- Arrest in 1798, ii., 289, 294.
- Assemblies, unlawful, Viceroy's proclamation, 1792, ii., 97.
- Hamburg visit—Negotiations for invasion of Ireland, ii., 194.
- Insurrection Act, 1796, ii., 194.
- Press, proprietorship, ii., 257.

Fitzgibbon—

- Munster peasantry, oppression, ii., 25, 32.
- Peerage conferred on, ii., 47.

Fitzgibbon—continued—

Regency question—Irish parliamentary address to Prince of Wales, ii., 44.

Volunteer National Congress—Prosecution of Sheriff of Dublin County, i., 345.

Fitzwilliam episode—Viceroyalty of Ireland—

Appointment of Fitzwilliam to office in 1794—Arrival in Dublin, etc., ii., 147, 148.

Cabinet chosen by Fitzwilliam—Misrepresentations, ii., 150, 151.

Despatches sent to England by the Viceroy—Roman Catholic question, ii., 151, 152.

Dismissal of Beresford and others by Fitzwilliam, ii., 148, 158.

Fitzwilliam's letters to Lord Carlisle, ii., 135, 138, 159, 160.

Grattan's support solicited by Fitzwilliam, ii., 138, 150.

Meeting at Pitt's house—Discussion of policy to be pursued by Fitzwilliam, ii., 144, 145, 146.

New system of government proposal, ii., 138.

Grenville, Lord, on, ii., 140.

Pitt's views—Letter to Windham, ii., 142.

Portland's, Duke of, visit to the king—King's memorandum to Pitt, ii., 156.

Renunciation of idea by Fitzwilliam, ii., 144, 145.

Pitt and Grattan, interview between, ii., 141.

Portland's, Duke of, letter to Pitt urging Fitzwilliam's appointment, ii., 140.

Publication of appointment previous to promotion, ii., 138, 139.

Grenville's, Lord, letters to his brother, ii., 139.

Pitt's action, ii., 141.

Recall of Fitzwilliam—Resolution of British Cabinet, ii., 158.

Debate on Grattan's motion for committee of inquiry into state of the country, ii., 168.

Effects of—Exaggerated accounts, ii., 166.

Lecky on, ii., 167.

Roman Catholic petitions—Grattan's schemes, ii., 147, 164.

Deputation to England, ii., 135, 165.

Dublin Catholics' address to Viceroy—Reply, ii., 150.

Fitzwilliam's letter to Duke of Portland, ii., 149.

Grattan's reply to Dublin Catholic address, ii., 161, 162.

Whig Club, vote of thanks, ii., 163.

Information withheld from Fitzwilliam, ii., 151.

United Irishmen, support, ii., 164, 165.

Roman Catholic question—

British Cabinet meeting—Portland's warning to Fitzwilliam, ii., 158.

Grattan's letter to McCan, ii., 142.

Instructions given by Pitt, ii., 142, 168. *See also sub-headings*

Despatches, Roman Catholic Petitions.

Fitton, A.—Lord Chancellor, appointment, i., 146.

Flood—

Attitude of Irish Commons towards, i., 318.

Commercial union scheme, opposition, ii., 21.

Grattan and Flood, rivalry between, i., 334.

Independence of the Irish Parliament—Declaration of rights, 1782, proposal, i., 325.

Mutiny Act—Grattan's amendment, 1781, i., 319, 320.

Poynings' Law—Committee of inquiry motion, 1781, i., 322.

Simple repeal inadequate to establish Irish legislative rights, i., 334, 335.

Vice-Treasurer appointment, deprivation of office, i., 319.

Foster—

Bounties, amounts expended in, 1773-82, i., 306, 321.

Foster—*continued*—

- Commercial union scheme, debate on Orde's Bill, ii., 22.
- Irish woollen trade, i., 252, 258.
- Union of 1800—Arguments against, ii., 309.

Fox—

- Commercial union scheme, ii., 8, 10.
- Condition of Ireland, 1797—Speech in Imperial Parliament, ii., 230.
- Misstatements in speech, ii., 231.
- Pitt's opinion, ii., 232.
- Grattan and Fox, negotiations between, ii., 229.
- Irish parliamentary independence, alleged libel, Grattan's defence, ii., 229, 230.
- Ministers, removal of, Irish petition, 1797, ii., 232.
- Policy of Fox—Whig magnates' objection and coalition with Pitt's government, ii., 135.
- Regency question, ii., 34.

France—

- Law against heretics, i., 227.
- War with Britain—
 - Grattan's and Ponsonby's contradictory statements, ii., 154, 161, 162.
 - Irish celebrations of French success, ii., 96.

Free Trade—

- Irish Parliament, address to king in 1779—Volunteer mob, etc., i., 309, 310.
- North's, Lord, proposals in Imperial Parliament, i., 311, 312.

French attempted invasion of Ireland—

- Appearance of fleet, announcement, Belfast public meeting, ii., 211.
- Assistance of Dutch and Spanish fleets, ii., 248, 253, 254.
- Defeat of Spanish fleet off St. Vincent, ii., 254.
- Dutch fleet—Battle of Camperdown, 1797, ii., 255.
- Bantry Bay, French landing—
 - Loyalty of the Irish, ii., 208, 213.
 - King's message of approval, ii., 218.
- Brissot's reproach on delay of expedition—Address to constituents, ii., 185.
- Defence of Ireland—
 - Belfast public meeting—Defence of the country, consideration, ii., 211.
 - Grattan's speech and debate, ii., 199-202.
 - Inadequate defence—G. Ponsonby's vote of censure, ii., 222.
- Fitzgerald, Lord E.—Negotiations with Hoche, ii., 194.
- Lord-Lieutenant's statements on reassembling of Parliament, 1796-97 ii., 199, 218.
- Grattan's amendment, ii., 199-202.
- Mismanagement and failure of the expedition, ii., 213.
- Offer of French Convention—Maintenance of soldiers, etc., ii., 184.
- Preparations at Brest and in the Texel, ii., 248, 253.
- Strength of forces required, etc.—MacNeven's memoir, ii., 241, 249.

French Revolution—

- Belfast celebrations, 1791, 1792, ii., 62, 63, 94, 95, 216.
- Conduct of the French extolled by United Irishmen, etc., ii., 81.
- Influence in Ireland, ii., 60, 216.

Froude—Finances of Ireland, i., 279.

GEORGE III.—

- Catholic oath of allegiance, i., 7, 8.
- Irish parliamentary address, i., 350, 351.
- Speech at opening of Parliament, ii., 1.
- Dissolution of Irish Parliament—Belfast petition of 1784, ii., 59, 60.

George III.—continued—

Grattan's description of, in address to fellow-citizens, ii., 259, 260, 261, 262.

Government corruption, alleged—Misstatements by Fox and Grattan, ii., 227, 231, 232.

Granard, Lord—

Keating's, Judge, letter to James II.—Repeal of the Settlement Acts, i., 170.

Lord Justice appointment, i., 137.

Name erased from council by James II. in 1689, i., 161.

Refusal to act on Irish Privy Council, 1686, i., 153.

Grattan—

Address to fellow-citizens on dissolution of Parliament, 1797, ii., 258-61, 304.

Duigenan's, Dr., reply, ii., 263.

Assemblies, unlawful—Viceroy's proclamation, 1792, debate, ii., 97.

British Cabinet "a bar to freedom of Catholics"—Speech in 1795, ii., 174.

British Ministry, Grattan's attacks on, ii., 189, 192, 199, 200, 201, 206.

Defence of Tone, suggestion of Catholic disloyalty—Statement in Parliament, ii., 176.

Fox and Grattan, negotiations between, ii., 229.

Fox and the alleged libel on Irish Parliament—Defence, ii., 229.

French War—Contradictory statements, ii., 154, 161, 162.

Independence of the Irish Parliament—

Amendment to address, 1782—Repeal of the sixth of George I., i., 326.

Declaration of rights, proposal, 1782, i., 323.

Effect of concession—Grattan's views, i., 318.

Grattan's popularity with the volunteers, i., 334.

"Ireland is now a nation" speech, i., 328.

Insurrection Bill, 1796, ii., 195, 196.

Invasion of Ireland, threatened—Amendment to Address, 1796, ii., 199-202.

Legality of Lord-Lieutenant's proclamation—Ulster disarmament, ii., 226, 228.

Magistrates' Indemnity Bill, 1796—Inquiry into conduct of magistrates, ii., 191.

Militia, etc., Bills of 1793—Opposition, ii., 108.

Ministers, removal from office—Petition of Irish people, 1797, ii., 232.

Mutiny Act, i., 314.

Amendment, 1781, i., 319.

Duration of—Resolution limiting period, ii., 46.

Opening of Parliament, 1795—Address moved by Grattan, ii., 154.

Privy Council, etc.—Name struck off the list, ii., 262, 263.

Public expenses, inquiry—Debate, 1781, i., 321.

Regency question, ii., 39.

Address of Irish Parliament to Prince of Wales, ii., 44.

Debate in Irish Parliament, ii., 41, 229.

Round Robin Association, formation of, etc., ii., 45.

Secession from Parliament after debate on Reform Bill, ii., 242.

Settlement of 1782, Episcopalian policy, i., 333.

Speeches in session of 1796, ii., 189.

Effect on Irish Parliament, ii., 192.

Injurious effect on Catholic cause, ii., 202.

Supply grant for 1790—Motion for two months' grant, ii., 45, 46.

State of the country, committee to inquire into, ii., 168.

Taxation in 1779—Motion against new taxation, i., 311.

Treasonable Practices Bill, 1796, ii., 203.

Grattan—continued—

- United Irishmen, Grattan's support, etc.—
 - Denunciation in 1794, ii., 72.
 - Reform scheme, support, ii., 230, 237.
 - Reports of Parliamentary Secret Committee, ii., 233, 236.
 - Visit to United Irishmen previous to Rebellion of 1798, ii., 262, 263.
- Union, 1800—Debates, etc.—
 - Seats vacant after prorogation of Parliament in 1799, ii., 307.
 - Smith's, Sir W., attack and letter, ii., 304, 310.
 - Speech in 1800—Irritation at Roman Catholic support of union, ii., 300.
- Volunteer attitude towards Grattan, i., 334.
- Volunteers' revolt—Attitude of Grattan towards, i., 342. *See* Catholic Relief Bill, Fitzwilliam, Reform Bill.

Grattan, Junior—

- His work, Lecky's approval of, i., 12.
- United Irishmen and the paper read by Grattan during speech on Reform Bill, ii., 240.

Gregory XIII.—

- Bull of Pius V., 1569, confirmation of, i., 193.
- Elizabeth, Queen, excommunication of, i., 199, 200.
- Invasion of Ireland expeditions, i., 36.

Grenville, Lord—Letter to Thomas Grenville, ii., 139.**Grouchy—French attempted invasion of Ireland, 1796, ii., 213.****Guise, Duke of—Invasion of England proposal, i., 205.****Gunpowder Act, 1793—**

- Provisions of, ii., 108.
- United Irishmen, condemnation, ii., 84.

Gunpowder Plot—

- Oath of allegiance devised by James I., i., 193.
- Papal briefs of Clement VIII., effect of, i., 57.
- "State trick of Cecil," i., 48.

HALIDAY, Mr.—Northern Whig Club, declaration of principles, ii., 50.**Hallam—**

- Constitutional history, method of compilation, ii., 181.
- Penal Laws, references to, in history, i., 184.

Hearts of Steel, disturbances, i., 298.**Hempen trade, encouragement of—Compact between English and Irish, 1698, i., 254.****Henry II.—Pope Adrian's gift to—Conditions violated by English kings, i., 57.****Henry III.—**

- Church in Ireland authority—Pope's communications, i., 32.
- O'Connor, King of Connaught's letter—Redress of grievances, i., 32.

Henry VIII.—Excommunication by the Pope, i., 35, 191.**Heresy—Penal law against, repeal by Edward VI., and abolition by Elizabeth, i., 185.****Hertford's, Lord—Administration in Ireland, 1765-67—Poynings' Law and the rights of Parliament in transmission of Bills, etc., i., 236.****Hoche—French attempted invasion of Ireland, command of fleet, ii., 213.****Holland—**

- Invasion of Ireland by the French, proposed—Aid to expedition.
- Treaty with U.S.A.—Declaration of war by Great Britain, 1781, i., 304.

Home Rule and the Legislative Union, 1800, ii., 300.**Hussey, Dr., Maynooth College presidency—Seditious pastoral letter publication, ii., 177.****Hutchinson, Hely—**

- Commercial union—Advantages of Orde's Bill, ii., 15, 19.

Hutchinson, Hely—*continued*—

Condition of Ireland—Statement in 1787, ii., 32.

His "Commercial Restraints"—Suppression of the Irish woollen trade, alleged, i., 278.

Son's statement in Parliament—Expenses of civil establishment in 1781, i., 322.

Hyland, trooper—Refusal to attend church parade, ii., 171.

***In Cæna Domini* Bull—**

Conditions of—Public reading prohibited, i., 197.

Ecclesiastical judges—Excommunication of persons interfering with judicial functions, i., 178.

Revision of, by Popes, i., 196.

Inchiquin, Lord—Rebellion of 1641—Declaration for the king, i., 110.

Indemnity, Act of, granted by James I. to Ireland, i., 48.

Independence of the Irish Parliament—

Clare, Lord, on, i., 325.

Declaration by Irish Parliament of subordination, 1692, i., 243.

Declaration of rights, 1782—Proposals, i., 323, 325.

Irish Lords' address to king in 1719, i., 265.

King's demand for precedents justifying claim, i., 265.

Grant of independence, 1782—Repeal of the sixth of George I., i., 326.

Grant through simple repeal, Flood's attack on, i., 334, 335.

Legislative union, 1800, and the effects of rejection of commercial union, ii., 32, 33.

Protest against, in Parliament of 1708, i., 250.

Insurrection Bill, 1796, ii., 121, 122, 190.

First reading—Grattan's objections, ii., 195.

Parliamentary Committee of Inquiry—Attorney-General's description of Defenderism, etc., ii., 193.

Portland's, Duke of, non-approval, ii., 224.

Report of committee—Grattan's proposal for Bill to be re-committed, ii., 195.

Ireton on the desolation of Ireland after Rebellion of 1641, i., 122.

Irish—General use of the term *Irish*, criticism, ii., 52, 53.

Irish history—Methods of compilation, i., 181, 182; ii., 47.

"Irish people," expression used by writers, i., 297.

Irish writers—

Animosity to English government, i., 10, 14.

Ecclesiastical authors and their approval of warfare, i., 23.

O'Connor, Rev. Dr., on, i., 48.

JACKSON estate incident—Outrage of Defenders on A. Barclay and family, ii., 124.

Jackson arrested in 1798, ii., 289.

Jackson's secret mission—Proposed French invasion—

Appointment of Jackson, ii., 132.

Arrest of Jackson on discovery of Tone's statement, ii., 133.

James I.—

Act of Uniformity, fines in Ireland, complaints, i., 70, 71.

Catholic petition—Penal Laws, i., 8.

Irish parliamentary grievances, 1613, i., 82, 83.

Oaths of allegiance and supremacy, conditions, i., 62, 193.

Papal opposition to succession—Bulls sent by Clement VIII., i., 56.

Religious toleration in Ireland, Pope Innocent X. and others on, i., 72, 73.

Ulster plantation scheme—Roman Catholic lords' grievances, i., 81.

James II.—

Catholics' oath of allegiance and the Papal Bull of 1606, i., 7.

James II.—continued—

Defence of William III. against—Association formed in England, i., 248.

Ireland—Campaign and administration—

Arrival in Ireland, 1689—Provisions for security in Ireland, i., 135.

Council—Names of councillors erased and proclamations issued, i., 161.

Protestant conciliation—Advice of Louis XIV., i., 159, 161, 162, 163.

Protestant massacre, proposal of D'Avaux and others, i., 175.

Roman Catholic ascendancy, "advice" to his son, i., 136, 137.

Trade of Ireland in the hands of the Protestants—Clarendon's appeal, i., 143.

Oath of allegiance taken when Duke of York, i., 194.

Tirconnell and James II., meeting at Chester, i., 162.

Johnson, William—Union of 1800, bribery accusation, ii., 303.

Judges—

Constitutional questions of Irish Parliament of 1640, i., 94.

Independence of Irish judges—Act of Security, 1782, i., 328.

Nomination of Irish judges by England, i., 266.

KEATING, Chief Justice of the Court of Common Pleas, i., 148.

Name erased from council by James II. in 1689, i., 161.

Protestants oppressed under Tirconnell—Statements from the Bench, i., 154, 156.

Settlement, Acts of—Repeal, opposition of Keating, i., 149.

Letter to James II., i., 170.

Kenmare, Lord—General committee of the Roman Catholics, secession from, ii., 87.

Keogh, John—

Catholic petition for return of Fitzwilliam, meeting, ii., 165.

General committee of the Roman Catholic leaders of opposition, ii., 87.

Kilkenny, statute of, government of Ireland—English authority confined to the "Pale," i., 35.

Kilwarden, Lord—Defender conspiracy in 1795, declaration at Defender trials, ii., 179.

King, Archbishop—

Act of Attainder, irregularities of records, i., 172, 173.

Army under Tirconnell, i., 139.

Hostility of Judge Rice to Protestants, etc., i., 148.

Massacre of the Protestants, proposal made to James II., i., 175.

Tirconnell party return, Parliament of 1689, i., 165.

Kinsale—

Occupation of, by the Spanish, in 1601, i., 21.

Proclamation issued by generals, i., 36.

Knox, Alexander—

Belfast public meeting, 1796—Defence of Ireland against French invasion, ii., 212.

Grattan's Reform Bill, ii., 241.

Ponsonby's Reform Bill, 1794, ii., 131.

Union, 1800—Bribery accusation, Mr. Lecky's statement, ii., 304.

United Irishmen—Outrages in Ulster, letter, ii., 217.

LAKE, General—

Commander-in-Chief, appointment, 1798, ii., 292, 293.

Ulster subjugation—

First proclamation issued in 1797, ii., 209.

Debate—"Seven wise men" opposition, ii., 78, 79.

- Lake, General**—*continued*—
 Lord-Lieutenant's message to Parliament—Grattan's amendment, legality of order, ii., 226.
 Second proclamation, ii., 245, 246.
- Land question**—
 Confiscation of estates—
 English policy of 16th century, Irish writers on, i., 47.
 Rebellion of 1641, i., 104, 107.
 Ulster rebels of 1595-1603, restoration of land, i., 48.
- Langrishe, Sir H.**—
 Finances of Ireland, 1782-1800, exorbitant expenses, etc., ii., 26.
 Invasion of Ireland, threatened—Grattan's amendment to the Address, 1796, ii., 202.
 Roman Catholic Disabilities Removal Bill, 1792, ii., 88, 89.
- Latouche**—Roman Catholic Disabilities Removal Bill—Petition, ii., 90.
- Latouche Bank**—Refusal to advance money to Irish Government for payment of troops in 1779, ii., 305.
- Lawless, Valentine**, Lecky's statement—Resolution of censure against outrages by soldiers, ii., 278.
- Lawrence, Col.**, on the famine caused by the Rebellion of 1641, i., 122.
- Layburn, J.**—Massacres of 1641, evidence, i., 104.
- Leinster, Duke of**—
 Octennial Parliament, 1769—Rejection of Money Bill, i., 293.
 Volunteer offer of services to Government in 1780, i., 318.
- Leinster, Marquis of**—Stukely created Marquis of Leinster by Pope Gregory XIII., i., 36.
- Leslie**—
 Massacre of the Protestants, proposal to James II., i., 175.
 Misgovernment of Tirconnell, i., 157.
- Lewins, John**—
 Agent for United Irishmen in France, ii., 133, 166, 247.
 Catholic petition for return of Fitzwilliam, meeting, ii., 166.
- Liberty of Conscience Act**, i., 177.
- Limerick**—Surrender to Parliamentary forces—Rebellion of 1641, i., 117, 221.
- Linen manufacture**—
 Colonies supply—Act of Anne, 1778, i., 307.
 Decay of trade through rupture with American colonies, i., 306.
 Encouragement as compensation for loss of woollen trade, ii., 252.
 Bill passed in Irish Parliament, i., 254.
 Bounty given on exportation goods, loss caused to English revenue, i., 258.
 Free Trade with the Colonies, grant to Ireland in 1780, i., 312.
 Grattan's assertion *re* foreign market supply—Answer by the Chancellor of the Exchequer, ii., 7.
 Irish writers' opinions, i., 259.
 Queen Anne, Irish Commons' Address, i., 252.
 Export of linen cloth, increase from 1705, i., 258.
 Hutchinson on "perfection of trade" reached in 1729, i., 253.
 Increase after annihilation of trade in the Netherlands, ii., 232.
- Liquor traffic**—
 Condition of Ireland in 1784-88—Number of unlicensed houses, etc., ii., 30.
 Illicit stills, etc.—Committee of Inquiry, evidence, 1800, i., 241.
- Loans**—
 Negotiations between United Irishmen and France—Proposed invasion of Ireland, ii., 250.
 Open loan in 1797—Debate in Irish Parliament, ii., 221.
- Loftus, Sir A.**—Connaught Act and Act of Limitation, i., 99.

- Lombard, Archbishop—Ireland the property of the Holy See, Mr. Lecky's disquisitions, i., 14.
- Lombard's *History of Ireland*—Presentation to Pope Urban VIII., i., 60.
- Londonderry—
 Charter of town forfeited, remodelling under Tirconnell's scheme, i., 153.
 Corporation address to Lord Camden, 1797—Government measures to restore peace in Ulster, ii., 265-67.
 Plantation, mention of, in remonstrance of grievances, i., 106.
 Siege of, 1689—Presbyterian defence, ii., 57, 224.
- Lord-Deputy of Ireland in 1650—Roman Catholic holding position, i., 71.
- Lorrain, Duke of—
 Bishops' declaration in favour of—Rebellion of 1641, i., 117.
 Irish Commissioners—Proposed treaty with Ireland, i., 116.
 "Protector of Ireland," title given by Irish bishops, i., 117.
- Louvain politico-religious college, i., 51.
 Faculty of Divinity on the deposing dogma doctrine, i., 190.
 Stapleton, Professor of Divinity, appointment, i., 52.
- Ludlow on the famine caused by Rebellion of 1641, i., 122.
- Luttrell, Thomas—Audience with James I., opinion on doctrine of Suarez, i., 62.
- Lynch, Archdeacon—
 Roman Catholic political and social condition previous to rebellion of 1641, i., 71.
 Settlement after Rebellion of 1641, i., 129.
- MACAULAY—
 Penal Laws, non-reference to in history, i., 184.
 Revolution of 1688, i., 181, 182.
- Macartney, Lord—"No surplus policy" of Irish Parliament, i., 283.
- MacMahon, Heber—
 Radcliffe, Sir G., interview with, i., 60.
 Rebellion urged by, in 1628, i., 60.
- MacNeven—
 Arrest in 1798, ii., 289.
 Catholic petition for return of Fitzwilliam, meeting, ii., 165.
 Evidence before Parliamentary Secret Committee, ii., 80, 100, 236, 249.
 French invasion of Ireland—United Irishmen agency in Paris—
 Memoirs presented, ii., 248, 249.
 Membership of United Irishmen, ii., 88.
 Reform scheme and United Irishmen, ii., 185.
 Roman Catholic loyalty, ii., 100.
 United Irishmen declarations, change in, ii., 74.
- Macnally—Jackson's secret mission to Ireland, dinner in Dublin, ii., 133.
- M'Mahon, Sir T.—Neutrality in Rebellion of 1641, Supreme Council's action, i., 127.
- Madden—Linen and woollen trades and the English compact, 1698, i., 259.
- Magistrates' Indemnity Bill, 1796, ii., 190.
 Grattan's extraordinary motion—Inquiry into conduct of magistrates, ii., 191.
- Magistrates' powers—Suppression of Defender outrages, Increased Powers Act, 1796, i., 121, 122, 123.
 Insurrection Bill provisions, ii., 193.
 Meetings, ii., 127, 210.
- Malta, knights of—Invasion of British Isles, Papal scheme of 1580, i., 36, 199.
- Manning, Cardinal—Laws governing civil allegiance, i., 188.

- Manufacture—**
 Decline in 1784—Irish demand for Commercial Union with Great Britain, i., 350, 351.
 Parliamentary aid—Sexton Pery's petition, 1763, i., 285.
- Marian priests and the Penal Laws enactment, i., 210.**
- Marriages celebrated by Presbyterian clergymen—Act of legislature, 1782, i., 328.**
- Mary, Queen—**
 Penal Law against heresy, i., 185.
 Poynings' Law interpretation, i., 235.
 Statutes of Provisions and Præmunire used against the Pope, i., 186.
- Massacres—Irish writers on the massacres of 1641, i., 48.**
- Maynooth Roman Catholic College—**
 Bill for establishment of, ii., 176.
 Hussey, Dr., as president, pastoral letter published by, ii., 177.
 Petition of objection to exclusive college by Catholics, ii., 177.
- Mazure—**
 Irish applications for foreign assistance in 1628, i., 67.
 Military system of James II. in Ireland, i., 136.
- "Memoirs of wool"—Compact between England and Ireland, 1698—**
 Woollen exportation trade, i., 252, 255.
- Military Association, first national battalion—Formation of association in Dublin, ii., 96, 97.**
- Militia—**
 Disarmament by Tirconnell after Monmouth's rebellion, i., 137.
 Irish Privy Council debate, i., 138.
 Establishment of—Volunteers' denunciation resolution at Dungannon Convention, ii., 107.
 French invasion of Ireland, proposed—MacNeven's memoir, 1798, alleged desertion of militia, ii., 250.
 Increase in 1793, ii., 108.
 Monaghan regiment—Men shot for exciting mutiny, influence of *Northern Star* publications, ii., 256.
- Milton, John—Presbytery of Belfast, protestation against "universal toleration of all religions," ii., 56, 57.**
- Ministers in cities and corporate towns, Act of provision for, 1689, i., 176.**
- Moir, Lord—**
 Army charge, ii., 276, 277.
 Cavan's, Lord, reply, ii., 281.
 Withdrawal of statement in Irish House of Peers, ii., 279.
 Arrival in Ireland, ii., 274.
 United Irishmen—Influence and information, ii., 278.
 Irish House of Peers, speech, 1798, ii., 279.
 Motion recommending Government conciliatory measures, ii., 284.
 Londonderry Corporation address to Lord Camden—Misstatement made by Lord Moir, ii., 266.
 United Irishmen—Estimation of character, ii., 279.
- Molyneux publication—English laws, re-enactment in Ireland, i., 248, 249.**
- Money Bills—**
 Practice of passing transmitted Bills at beginning of new Parliament, i., 247.
 Transmission to England—Irish Parliament's refusal to certify Bill, i., 292.
- Moore, Roger—Ulster forces entering the "Pale," Rebellion of 1641, i., 103.**
- Mountjoy—Rebellion caused by Papal briefs on James I.'s succession, i., 57.**
- Mutinies in the British fleets—**
 Channel Fleet at Spithead mutiny—Concession granted, ii., 254.

Mutinies in the British fleets—*continued*—

Nore Mutiny—

Bills for punishment of mutineers, ii., 254.

United Irishmen intrigues, influence on, ii., 254.

Mutiny Act, 1780—

British Act not enforced in Ireland, separate Irish Bill, i., 231, 314.

Flood's amendment—Debate, Attorney-General's story of the parish clerk, i., 319, 320.

Grattan's amendment, 1781, i., 319.

Irish Act accepted by Britain, renunciation of legislative authority implied by, i., 318.

Mutiny Act, 1782, i., 328.

Grattan's motion of limitation of period, 1790, ii., 46.

NAGLE, lawyer—

Act of Attainder, presentation to James II., i., 174.

Letter on the Acts of Settlement, i., 145.

National Debt, Great Britain—Irish contribution, Adam Smith's opinion, i., 241.

Nationality in Ireland—Use of the term in connection with Irish feeling, ii., 53.

Navigation laws—

English Act allowing Irish merchants to import into Great Britain the productions of West Indies, ii., 109.

Irish Acts passed in conformity with British legislation, examples of, ii., 18, 19.

Navy—

Defenders' compulsory service—Carhampton's, Lord, mode of procedure, ii., 120, 187.

Grattan's speech in 1796, ii., 206.

Irish grant for support of British Navy, 1782, ii., 241.

Roman Catholic qualification—Hobart's Bill, 1793, ii., 103.

Neilson, S.—

Editorship of *Northern Star*, ii., 65.

Property guarded by peasantry during imprisonment, ii., 209.

Surrender on charge of high treason, ii., 198.

Newenham—

Catholic and Protestant return, 1731, i., 229.

English and Irish parliamentary legislation, comparison, i., 232.

Woollen trade, i., 252, 257.

News Letter—Militia declaration against influence of *Northern Star* publication, ii., 256.

North, Lord—

Colonisation—Exclusive trade rights of the mother country, i., 312.

Commercial union between Great Britain and Ireland scheme, ii., 8.

Free Trade for Ireland, proposals in 1779, i., 311, 312.

Landowners absent from Ireland, proposed taxation, i., 295.

Protest of Whig noblemen, i., 296.

Roman Catholic relief—Speech in Imperial Parliament, 1778, i., 317.

Woollen trade, i., 252.

Northern Star—Publication by United Irishmen, ii., 65.

Destruction of press and type—

Militia attack, ii., 256.

Moir's, Lord, statement, ii., 276, 277.

Irish Jacobins of Belfast seditious publication, prosecution, ii., 101.

Militiamen shot for exciting mutiny—Declaration of condemned men, influence of *Northern Star*, etc., ii., 256.

Nugent, Chief Justice—

Appointment as judge, i., 148.

Repeal of the Settlement Act, i., 147.

- OATHS and declarations—English Acts relative to, extension to Ireland, 1782, i., 328.
- Octennial Act, 1767—Duration of Irish Parliament, i., 292.
- O'Connor, Arthur—
 Antrim by-election candidature, treasonable speeches, etc.—Arrest, ii., 211.
 Belfast public meeting—Appearance of French invading fleet, ii., 212.
Press publication, proprietorship, ii., 257.
- O'Connor, Rev. Dr.—
 Act of Supremacy, i., 9.
 Allegiance of subjects to sovereigns, i., 190.
 Conspiracy of the Earls of Tircconnell and Tyrone, i., 66.
 Irish history writers—Criticism, i., 48.
 Penal Laws, i., 183, 210.
- O'Doherty, Sir Cahir—Rebellion in 1608, aid from foreign princes, i., 67.
- O'Donnell—
 Tuam, Archbishop of, as medium between O'Donnell and Philip II. of Spain, i., 59.
 Ulster insurrection, 1595, i., 7.
- Ogle, Mr.—Ulster insurrection—Lord-Lieutenant's message to the Commons, ii., 226.
- O'Hanlon—Ulster insurrection of 1595, i., 16.
- O'Hara, Mr.—Roman Catholic Disabilities Removal Bill, 1792—Motion—R. Burke's interference, ii., 89.
- O'Mahony, C.—Massacres of 1641—*Superiorum Permissu*, publication abroad, i., 104.
- O'Neill, Hugh—
 Captain-General of the Catholic army in Ireland—Papal designation, i., 18.
 Schism among clergy—Allegiance to Elizabeth—O'Neill's manifesto of 1599, i., 20.
- O'Neill, Lord—Assassination and outrage system in Ireland, 1796—Meeting of magistrates, ii., 210.
- O'Neill, Owen Roe—
 Confederates' General Assembly, 1648, denunciations of O'Neill, i., 112.
 Papal plenary pardon granted to, i., 212.
 Peace with English Parliament proposal, i., 113, 114.
- O'Neills—Bruce invasion of 1315—O'Neills joining Bruce, i., 33.
- Opposition—Secession of Grattan's party from Parliament, ii., 242.
- Orange Lodges—
 Dublin lodge established, 1797—Increased number of Orangemen, ii., 243.
 First lodge, formation, 1795, ii., 127, 128.
 Gosford, Lord, and magistrates' membership, ii., 129.
- Orangemen—
 Alliance proposed by United Irishmen, 1797—Terms of rejection of proposal, ii., 243, 244.
 Declaration of support of Government, ii., 243.
 Peep of Day Boys—Orangemen's declaration of non-connection with, ii., 195.
 Persecution of Defenders by Peep of Day Boys attributed to Orangemen, ii., 128.
 Grattan's accusation, ii., 195.
 United Irishmen, fabrication of false oaths, etc.—Distribution through Ireland, ii., 76, 244.
- Orde's Bill—Commercial Union scheme—
 Debate on, ii., 15.
 Grattan's Act for promotion of commerce, comparison, ii., 19.

- Orde's Bill—Commercial Union scheme—*continued*—
 Grattan's opposition and objections, ii., 19, 20.
 Hutchinson's, Hely, question, ii., 15.
 Provisions of, ii., 11, 12.
 Advantages offered by the Bill, enumeration of, ii., 13, 14, 15.
- Ormond—
 Departure from Ireland in 1650—Appointment of successor, i., 116.
 Dublin, siege of—Defeat of Ormond in 1649, i., 110, 113.
 Return to Ireland in 1648—Peace with the Confederates, etc., in 1649, i., 113.
 Roman Catholic declaration against, in 1650—Reference to Cromwell negotiations, i., 106.
 Submission to the Parliament and surrender of Dublin to the Commissioners in 1647, i., 123.
 Supreme Council of Confederate Roman Catholics—Peace treaty of 1646, i., 109.
 Treaty with O'Neill, i., 114.
 Synod of Bishops at Jamestown in 1650—Declaration against Ormond, i., 115.
- Orr, William—Harvest gathered by peasantry during imprisonment of, ii., 209.
- Osborne, Mr.—Invasion of Ireland threatened, Grattan's amendment, 1796, ii., 202.
- Ossory, Bishop of—Levéé announcement by Lord Fitzwilliam, 1795, on recall to England, ii., 159.
- Ossory, De Burgo, Bishop of—Brussels Nuncio's letter on the oath of allegiance, 1768, i., 229.
- Ossory, Routh—Bishop of—
Analecta sacra—
 Fines exacted under Act of Uniformity in 1616, i., 70.
 Malicious accusations against English Government, i., 60.
 Hereditary right of English kings to Ireland, i., 57.
- O'Sullivan—
 Act of Uniformity contravention fines in 1616, i., 70.
 Schism among Irish clergy—Allegiance to Elizabeth, Pontiff's comments, i., 19.
 Ulster insurrection of 1595—
 Lecky's, Mr., views—Criticism, i., 26.
 Number of chiefs for and against the queen, i., 18.
 "The memorable war"—End of the struggle, i., 22.
- Oviedo, Archbishop of Dublin—Messenger between Desmond and Philip II., i., 59.
- PAINE'S *Rights of Man*—Whig Club distribution, ii., 51, 198.
- "Pale" district—
 English authority in Ireland confined to the "Pale," i., 35.
 Government under Edward III., i., 37.
 Rebellion of 1641—Union with the Confederates, i., 102, 103, 125.
 Rebellion of 1798—Inhabitants joining rebellion, ii., 296.
 Ulster plantation scheme—Attitude of the Lords of the Pale, i., 81.
- Papal authority and influence in Ireland, etc.—
 Act of Supremacy and Uniformity—Papal interpretation, i., 10, 69.
 Bishops' oath of fealty, etc., to the Pope, i., 58.
 Elizabethan period—
 Allegiance to Elizabeth—Pontiff's commands to Irish clergy, i., 19.
 Catholic priests' "protestation of allegiance" to Elizabeth, i., 207.
 Hostile attitude toward Queen Elizabeth and her successors, i., 6, 7.
 George III.—Oath of allegiance offered to Catholics in 1768, ii., 228.

- Papal authority and influence in Ireland etc.—*continued*—**
 Henry III. and Edward I. privileges over Irish Church—Pope's communications, i., 32.
 Henry VIII. period—Papal authority renounced, i., 35, 53.
 "Ireland the property of the Holy See"—
 Lombard's history on, i., 14, 60.
 Papal and Irish bishops' views, i., 57.
 Irish remonstrance, 1661—National Synod, i., 216.
James I.'s period—
 Lawyers of Ireland—Doctrines held by, audience with James I., i., 61.
 Oath of allegiance, i., 62.
 Papal condemnation, i., 194, 196.
Rebellion of 1641—
 Influence, i., 101, 102, 107.
 Pardon granted to Catholics after the rebellion, i., 212.
 Penal laws against Catholics—Proposed repeal, 1647—Condemnation of propositions, i., 198.
 Statutes of Præmunire—Limitation of communications with Rome, i., 185, 186.
 Temporal power of the Pope—Deposing dogma, etc., i., 187.
 Effect of Papal teaching in Ireland, i., 211, 213.
 Explanation of term, i., 186.
 French clergy decision, i., 189.
 Opinions on, i., 190, 203, 211.
 Papal bulls and briefs on, i., 191.
 Propositions to be signed by Catholics on proposed repeal of Penal Laws, i., 198.
 Roman Catholic Universities—Arguments, 1788-89, i., 189.
 Spanish Universities' decision—Extracts from documents, i., 18, 19, 20, 53.
 Ulster insurrection of 1595—
 Pope's gift to O'Neill—Reply of O'Neill, etc., i., 18.
 Support given by the Pope, i., 7, 36.
Papal bulls and briefs—
 Catholic oath of allegiance to English sovereigns—Paul V.'s policy, i., 7.
 Clement VIII.'s briefs—James I.'s succession, i., 56, 57.
 Deposing and absolving power, i., 191.
In Cæna Domini. See that title.
 Irish rebels, 1641—Rescripts exhorting rebels to fight against England, i., 212.
 Præmunire statute—forbidding importation into England, i., 199.
Parliament, Imperial—
 Appellate jurisdiction—Grattan on the Imperial parliamentary power over Irish Parliament, ii., 229.
 Influence on Irish Parliament before and after 1782, observations, ii., 302.
 Procedure, comparison with Irish Parliament, i., 237.
Parliament, Irish—
 Civil jurisdiction, etc., taken over by the Irish Commons, i., 93.
 Royal authority—Irish Commons' efforts to diminish, i., 93.
 Scotch Covenanters—Declaration of support, i., 88, 89.
Parliamentary reform—Demand for a Democratic Parliament, etc.
 Belfast public meeting, 1784—Petition for dissolution of Parliament, ii., 59, 60.
 Belfast public meeting, 1796—Resolutions, ii., 212.
 Drennan's, Dr., letters, ii., 61.
 Circular letter for United Irishmen Society, extracts from, ii., 67, 68, 69.

Parliamentary reform, etc.—*continued*—

Grattan and Ponsonby's scheme—

Effect of rejection, ii., 72, 73, 74.

United Irishmen disapproval, ii., 74.

Pitt's scheme of conciliation of Ireland, 1793, ii., 108, 109.

Ponsonby's schemes, 1793-94—United Irishmen's attitude, ii., 72, 132.

Presbyterian agitation—

Roman Catholic aid solicited—Invitation of volunteers, etc., ii., 57, 58, 59.

Volunteer support—Petition to Commons, 1784, ii., 58.

United Irishmen schemes—

Addresses to Irish people, 1793-94, ii., 83, 84, 85.

Freedom of debate—Challenge sent to House of Commons, ii., 82, 83.

Grattan's conduct—Disapproval and support, ii., 71, 72, 230, 237, 240.

Inadequacy of Grattan's proposal, ii., 185.

MacNeven's evidence, ii., 185.

Rejection of Grattan's scheme, 1797—Effect of, ii., 72, 73.

Wishes of the peasantry and the people as a mass—Evidence, etc., ii., 186, 270.

Parsons, Lawrence—Pension grant in 1790, ii., 48.

Parsons, Robert—

Authority of Protestant princes—Heretical doctrine taught by Parsons, i., 203.

Seminaries founded by—Tenets taught, i., 51, 204.

Paul III., bull of 1538—Henry VIII. deposed and excommunicated, i., 191.

Paul IV., bull of 1559—Sovereigns and the Papal deposing dogma, i., 191.

Paul V.—James I.'s oath of allegiance—Condemnation, i., 194, 196.

Peasantry in Ireland—

Appearance of—Sir J. Colville on, i., 288.

Condition during eighteenth century, parliamentary statements, etc., ii., 31, 32.

Penal Laws—Effect of, on moral and social condition, ii., 110.

Property of persons arrested for high treason—Care of, ii., 209.

Peep of Day Boys and Defender combats, ii., 114.

Relations with Defenders—Alteration after Jackson incident, ii., 124.

Peers created or promoted during period of regency question, George III., Mr. Lecky's statement, etc., ii., 47.

Peers of Ireland—Alteration of parliamentary position after union, 1800, and alleged bribery, ii., 308, 309.

Penal Laws—

Attitude of Englishmen towards, i., 2.

Berington, Rev. J., on, i., 210.

Burke on "an unparalleled code of oppression," i., 184.

Cause of enactment, i., 9, 186.

Allen's report to the Pope—Strength of Papistic party, 1583, i., 205, 207.

Effect of Tirconnell's misgovernment, i., 158.

Foreign hostility to England—Secular priests' assertion, i., 209.

Rejection of Charles II.'s oath of allegiance, 1666, i., 213.

Writers' opinions, i., 210.

Comparison of Irish and English laws, i., 184.

Effect on the moral and social condition of Ireland, i., 226.

Destruction of disciplinary restraint, etc., ii., 111.

English Whig authors' denunciations, etc., i., 184.

Irish Roman Catholics of English descent, condition under Penal Laws, i., 226.

Penal Laws—continued—

Laws enacted in reigns of William and Anne, i., 159.

Mitigation of—

Catholic General Committee appeals to Irish Parliament, ii., 86, 87.

English laws mitigated before adoption by Irish Parliament, i., 184.

Relaxation movement after the Restoration, i., 213.

Oath of allegiance offered to Catholics in 1768—Repeal of Penal Laws proposed, intervention of Brussels Nuncio, i., 228.

Opinions of Irish authors, priests, etc., on, i., 3, 4, 183, 208, 209, 210.

Penalties imposed during reigns of Elizabeth, James I. and Charles I., i., 184.

Petition to James I., i., 3.

Public office appointments, deprivation to Catholics, i., 226.

Relaxation Acts of 1774, 1778, declaration of allegiance required, i., 302.

Repeal of laws against Catholics, proposal of 1647, i., 197.

Propositions to be signed, Papal condemnation, i., 198.

Throckmorton, Sir J., on, i., 210.

Walsh's, Father, address to Catholics, on, i., 4.

Pery, Sexton—

Moir's hard speech in Irish Parliament—Opposition to motion, ii., 280.

Parliamentary aid to manufacture, i., 285.

Poynings' Law—Transmission of Bills, etc., i., 236.

Petty—Protestant and Catholics' return, Ireland, i., 229.**Philip II. of Spain—**

Claim to English throne—Teaching in politico-religious seminaries, i., 152.

Elizabethan conquest of Ireland—Bishops in communication with Philip II., i., 59.

Invasion of Britain proposed, 1580—Death of King of Portugal preventing, i., 199.

Ulster Rebellion of 1595—Aid to the Irish, i., 16.

Pitt—

Belfast petition for dissolution of Irish Parliament—Refusal to present, ii., 60.

Conciliation of Ireland scheme, 1793—Establishment of consolidated fund, etc., ii., 108, 109.

Franchise to Irish Roman Catholics, decision after Catholic petition, 1792, ii., 101, 102.

Ponsonby's attack on, in 1796, ii., 207.

Regency question—Illness of George III., ii., 34.

Removal from office, Fox's suggestion for Irish petition, ii., 232.

Roman Catholic question in Ireland—Grattan's statement of Fitzwilliam's instructions, ii., 142, 168.

Pius V.—Bull of 1569—Elizabeth, Queen, excommunication of, i., 36, 193.**Plowden—**

Abercromby, Sir R., as commander-in-chief, ii., 293.

Absentee tax rejection, i., 297.

Government remuneration, i., 12.

Persecution of Defenders in 1795, attributed to Orangemen, ii., 128.

Plunket—Legislative union, 1800, ii., 304, 305.**Politico-religious education—D'Ossat's, Cardinal, account, i., 52.****Ponsonby, George—**

Change of policy—Debate on Hobart's Bill, 1793, etc., ii., 49, 104.

Defence of Ireland—French invasion and alleged inadequate defence of Ireland—Vote of censure proposed, ii., 222.

Dismissal from office—Regency question, etc., ii., 49, 151.

French War—Duquerry's peace motion, 1795, opposition, ii., 154, 155.

Ponsonby, George—*continued*—

“Measures which would save Ireland”—Statement in Parliament, 1797, ii., 220.

Secession from Parliament after debate on Reform Bill, ii., 242.

Ponsonby, W.—

Dismissal from office—Regency question, etc., ii., 49, 151.

Reform schemes—

Effects of rejection of 1797 scheme, ii., 72, 73, 74.

Roman Catholic plan of reform—Reintroduction into Parliament, 1794, ii., 131.

Secession from Parliament after debate on Reform Bill, ii., 242.

Poor in Ireland—

Curran's motion for Committee of Inquiry into state of, ii., 190.

Whig Club inquiry into condition of—Publication of resolution, ii., 197.

Porter, Sir C.—

Lord Chancellor appointment, i., 146.

Settlement Acts—Views on, dismissal from office by Lord Tirconnell, i., 146.

Portland, Duke of—

Coalition with Pitt's Government, ii., 135.

Cornwallis's, Lord, letter on Presbyterian support of union, 1800—Success of tour, ii., 301.

Viceroyalty appointment, 1782, i., 325.

Poynings' Law—

Bill for repeal of, 1689—King James II.'s disapproval, i., 167.

Bill to modify law, 1780, defeated, i., 316.

Constitution of the Irish Parliament under Poynings' Law, i., 96, 234, 247.

Elizabethan period—Proposed suspension by English Government, i., 236.

Flood's Committee of Inquiry proposal, 1781, i., 322.

Modification on establishment of Irish independence, 1782, i., 237, 328.

Popularity in Ireland, i., 234, 235.

Yelverton's motion, 1781, i., 320, 321, 322.

Prendergast, Mr., on settlement after Rebellion of 1641, i., 129.

Presbyterians—

American War—Sympathy with the colonists, etc., ii., 57.

British Government's efforts to obtain equal rights for—Non-influence with Irish Parliament, ii., 302.

Civil disabilities—Exclusion from public appointments, i., 297 ; ii., 105.

Admission to office—Repeal of Test Clause, 1780, i., 225 ; ii., 57.

Qualifications for office in England and Ireland, i., 224.

Connection between Great Britain and Ireland, support of, ii., 253.

Derry defence, 1689—Defeat of James II., i., 224.

Population in Ireland at period of union, 1800, ii., 300.

Rebellion of 1641—Attitude of Presbyterians, i., 224 ; ii., 56.

Roman Catholic and Presbyterian alliance, ii., 24.

Withdrawal from union with Catholics as United Irishmen—Rebellion of 1798, ii., 252.

Secret Committee in Belfast—Membership of Wolfe Tone, ii., 64.

Union, 1800—

Attitude of Presbyterians, i., 327 ; ii., 53.

Legislative union support—Lord Cornwallis's tour in Ireland, ii., 301.

Press—United Irishmen publication, 1797—Suppression by Government in 1798, ii., 257.

Priests—Punishment by death in Elizabeth's reign—Denial, i., 4.

Protestants—

Churches at Waterford and Wexford—James II.'s order for restoration to Protestants, i., 178.

Civil appointments—

Judges dismissed by Tirconnell—Revision of Irish Law Courts, i., 147.

Privy Councillors' refusal to act under Tirconnell's Catholic policy, i., 153.

Defender attacks on, in 1792-93, ii., 116.

Orange Lodge formation in 1795—Defence against Defenders, ii., 127, 128.

Liberty of Conscience Act, influence on, i., 177, 178.

Massacre of 1641—Evidence given by Irish writers, i., 104.

Massacre proposed to James II.—Possible rebellion against Act of Attainder, i., 175.

Population—Catholic and Protestant population, comparison, i., 229 ; ii., 123.

Protection of property, etc.—Penal Laws enacted in reigns of William and Anne, i., 158.

RACIAL antipathy between Catholics and Protestants theory, ii., 295.

Radcliffe, Sir G.—

Attendance on Strafford in England—Irish Commons' applause of Strafford's administration, i., 93.

Impeachment by Irish Parliament, i., 93.

Interview with Bishop MacMahon, i., 60.

Rebellion of 1641—

Athlone, capture by Preston, i., 112.

Barbarous incursions made by O'Neill and others, province of Leinster, etc., i., 120.

Carew's, Sir G., prophecy, i., 102.

Catholic bishops' hostility—Synod declarations, i., 60, 61, 115, 117, 119.

Kells Synod, 1642—Miseries caused by rebellion, i., 119.

Dease's, Bishop of Meath, refusal to attend Kells Synod, i., 126.

Charles I.'s letter to Irish Lords Justices, i., 68.

Clergy convocation at Waterford called by Papal Nuncio in 1646, i., 109.

Confederates—Supreme Council, etc.—

Appeal to the Pope, 1648, i., 119.

Conventions with Rinuccini, i., 100, 109, 111.

Synod summoned at Galway—Prevention of meeting, i., 112.

General Assembly, 1648, censure on Rinuccini and others, i., 112.

Inchiquin, truce with, i., 110, 111.

O'Neill's war against, i., 111, 113, 121.

"Pale" district union, i., 125.

Peace with Ormond in 1646 and 1649, i., 109, 113.

Cromwell's arrival—Catholic bishops' submission, i., 106.

Derry attack—Protestant defence, i., 57, 224.

Drogheda—

Relief of—Defeat of the Royalists at Julianstown, i., 103.

Stormed by Cromwell's forces in 1649, i., 113.

Dublin—

O'Neill's army besieging, i., 110.

Siege in 1649, i., 113.

Effect of, i., 118, 120.

Famine—Ludlow and other writers on, i., 122.

English army in Ireland, strength of, at commencement of rebellion, i., 100.

Rebellion of 1641—continued—

Inchiquin declaring for the king—Truce made with Supreme Council of Confederates, i., 110, 111.

Kilkenny attacked by O'Neill—Barbarity of forces, i., 120.

Lorrain, Duke of—Clanrickard's and bishops' proposed treaty, i., 116.

Massacres of 1641—Evidence of writers, i., 104.

Neutrals—Supreme Council of the Confederates, persecution, i., 125, 127.

O'Neill's peace proposals to English Parliament, i., 113, 114.

O'Neill's war against the Confederates, i., 111, 113, 121.

Ormond's return to Ireland, 1648—Towns recovered for the king, etc., i., 113.

Ormond's submission to the Parliament of 1647, and subsequent return to Ireland—Action questioned, i., 123.

Papal influence—

Briefs exhorting rebels to fight against England, i., 212.

"Plenary indulgence" granted to Catholics, i., 212.

Period of eight years previous to arrival of Cromwell, i., 108.

Clergy as masters of the kingdom, i., 110.

Social condition of Ireland, i., 118.

Political and religious toleration previous to rebellion, i., 71, 184.

Presbyterian defeat of O'Neill, 1643, i., 224.

Protestant disunion in 1641—Advantage taken by Roman Catholics, i., 102.

Settlement after the rebellion—Estates, etc.—

Confiscation of rebels' estates, i., 104.

Emigration of rebels to Spain, i., 124.

Irish writers on, i., 107, 129.

Parliamentary incorporation with Great Britain, i., 130.

Soldiers' and adventurers' land—Progress of agriculture, i., 128.

Tyrone and Tirconnell estates—Confiscation by Irish Act of Attainder in 1606, i., 67, 87.

Tyrone and Tirconnell, Earls of—Influence, i., 102.

Wexford betrayed to Cromwell, i., 114.

Rebellion of 1798—

Abercromby's, Sir R., general order to troops in violation of Viceroy's proclamation, 1797, effect of, ii., 288.

Anglo-Irish and mixed race inhabitants' support, ii., 296.

Arrests of United Irishmen in Dublin—Resolution found in seized papers, ii., 289.

Commencement of insurrection, ii., 294, 295.

Connaught, tranquillity of province previous to landing of French at Killala Bay, ii., 188.

Counties in which the rebellion raged—Anglo-Irish population, ii., 296.

Grattan's visit to United Irishmen previous to rebellion, ii., 262.

Leaders—Protestant and Anglo-Irish leaders, ii., 296.

Preparations—United Irishmen in the North—Secret Parliamentary Committee report, ii., 80, 81.

Roman Catholic allegiance as United Irishmen—Presbyterian observation, ii., 252.

Roman Catholics acting through feeling of racial antipathy theory, ii., 295.

Statements made in Parliament—Lord-Lieutenant's speech, etc., 1797, ii., 268.

United Irishmen Provincial Committee meetings—Reports, ii., 271, 273.

Records—Irish parliamentary records, alleged loss in 1640, i., 97.

Redford, Mr.—Union of 1800 pamphlet, ii., 306.

- Reform and emancipation the watchwords of United Irishmen for inciting rebellion—Effect on peasantry, ii., 270.
- Regency question—Illness of George III.—
 Address of Irish Parliament to Prince of Wales—
 Lord-Lieutenant's refusal to present address, ii., 43, 44.
 Censure of Opposition, ii., 44, 50.
 Presentation of address—
 Delegates chosen to present address, ii., 44.
 Grattan's and Conolly's motions, ii., 41.
 Presentation after king's recovery, ii., 46.
 Convalescence of the king, effect of, ii., 44, 45, 46.
 Hostility of the Irish Parliament, resignation of servants of the Crown and formation of Whig Club, ii., 283.
 Irish right of choosing a regent—Validity of address to Prince of Wales, ii., 42, 43.
 Opening of Parliament, 1789—Consideration of documents relative to king's illness, ii., 41.
 Pitt on the conduct of the Irish Whigs—Letter to Marquis of Buckingham, ii., 137.
 Ponsonby's dismissal from office, ii., 151.
 Prince of Wales's acceptance of the address, ii., 35.
 Round Robin Association, formation of, ii., 44, 47.
 Speaker of the Commons on, ii., 39.
 Whig Club policy declaration, ii., 50.
- Reilly, Archbishop of Armagh—Synod summoned by, bishops' authority, etc., i., 117.
- Remonstrance of Irish Catholics, 1640—Deputation to King Charles—
 Presentation to Irish and English Commons, i., 90, 91.
- Remonstrance of Irish Catholics, 1661—
 Compilation of petition—Belling using petition of 1640, i., 213, 214.
 Freedom of religion allowed—Declaration of Charles II., i., 215.
 National Synod called by Duke of Ormond, i., 216.
 Refusal of members to sign remonstrance, i., 217.
 Papal interference—Nuncio's letter, i., 215, 217.
- Revenue and expenditure of Ireland—
 Additional duties—
 Aid to the hereditary revenue, i., 238.
 Excise Bill, 1695—Irish Parliament assent, i., 247.
 Advance of revenue—Evidence of Lord Clarendon, i., 223.
 Appropriated duties—Allocation by Parliament, i., 238.
 Army Estimates—Establishment of yeomanry, 1796, ii., 204.
 Collection expenses and frauds, i., 240, 241, 300, 301.
 Consolidated fund—Pitt's scheme of, 1793, ii., 108.
 Contributions to Great Britain, i., 74, 241.
 Decline after War of the Revolution, i., 221.
 Decline from 1773-82—Additional taxation, i., 295, 296, 297, 306.
 Decline under James II.'s policy, i., 143, 144.
 Pensions—Amount expended, 1790—Regency question period—Mr. Lecky's statement, etc., ii., 47.
 Public expenses inquiry—Grattan's motion, 1781, i., 321.
 Surplus disposal—"No surplus" policy of the Dublin Parliament, i., 241, 279, 282, 295.
 Bill of 1753 rejected by Irish Commons—Objection to mention of King's "consent," i., 282.
- Union, 1800—
 Expense of collection before and after Union, i., 288.
 Prosperity of Ireland previous to Union—Mr. Lecky's statement, ii., 26.

- Revenue and expenditure of Ireland—*continued*—**
 United Irishmen—Efforts to reduce revenue—Restrictions on excisable articles, ii., 234, 247.
- Revolution of 1688—**
 Comparison with continental revolutions, i., 2.
 Macaulay's method in compilation of history, i., 181.
- Reynolds, Dr. James—**Jackson's secret mission to Dublin, discovery of, ii., 133.
- Rice, Stephen—**
 Court of Exchequer appointment, i., 148.
 Dublin Corporation, refusal to surrender town charter to Tirconnell, i., 152.
- Richelieu, Cardinal—**Irish proposal to cede Ulster to France, i., 68.
- Richey, Mr.—**"Four Masters" history, period 1500-34, criticism, i., 23.
- Rightboys' disturbances and outrages,** i., 347; ii., 30.
- Rinuccini, Papal Nuncio—**Rebellion of 1641—
 Contentions with Supreme Council of the Confederates in 1641, i., 100, 109, 111.
 Departure from Ireland, i., 113.
 Letters, i., 107, 108, 109, 120.
- Roman Catholic bishops and clergy—**
 Conspiracy of the Earls of Tirconnell and Tyrone in 1606—Bishops' decision, i., 66.
 Exclusion from Parliament of 1689, i., 165.
 Foreign princes, preference for—Address to Spanish king in 1617, i., 59.
 Hostility of the bishops—Elizabethan period, etc., i., 49.
 Oath of fealty to the Pope, i., 58.
 Rebellion urged by Bishop of Clogher in 1628, i., 60.
 Right of secular government to interfere with Roman Church, i., 177.
 Schism among inferior clergy—Allegiance to Elizabeth, Pontiff's commands, i., 19.
 Spanish King Philip II., communications with, i., 59.
 Walsh, Father, on the doctrines held by Papistic clergy in 1670, i., 50.
- Roman Catholic Committee—**Irish Committee formation, i., 11.
- Roman Catholic Convention—**
 Franchise scheme, ii., 91-97.
 Petition—Delegates' visit to Belfast, ii., 98-101.
- Roman Catholic Disabilities and Emancipation movement—**
 Belfast inhabitants' meeting, resolution passed in 1792, ii., 107.
 British Cabinet "a bar to freedom of Catholics"—Grattan's speech, 1795, ii., 174.
- Civil Disabilities Removal—**
 Episcopalian opposition, ii., 54.
 Hobart's Bill, ii., 103.
 Irish and English Catholics, comparison of position, ii., 105.
- Emmet's, T., evidence—**Wishes of the people, ii., 186.
- Fox, Mr., on—**Speech in Imperial Parliament, 1797, ii., 231.
- Grattan's action—**
 Complimentary address presented by Dublin Catholics—Reply, ii., 161-164.
 Education of Catholics—Exclusive College proposed, ii., 177.
 Former acts of Grattan compared with present policy, ii., 164.
 Parliamentary representation—Amendment and resolution, 1796, ii., 205.
- Roman Catholic general committee—**
 Burke, R., appointed parliamentary agent, ii., 88.
 Government by John Keogh and others, ii., 87.

- Roman Catholic general committee—*continued*—**
 Organisation of, etc.—Tone's description, ii., 180.
 Republican members—Tone's assertion, ii., 100.
 Tone's connection with—
 Appointment as parliamentary agent, ii., 88.
 Change of policy, ii., 91.
 Employment by Catholic committee at period of Jackson treason—
 Parliamentary objection, Grattan's defence, ii., 176.
 Union with Northern agitators and United Irishmen, ii., 87, 88.
- Roman Catholic Relief Act, 1792, ii., 88, 89, 172.**
 O'Hara, W., motion—Burke's interference, ii., 89.
 Petitions, ii., 89, 90.
 Purchase of land, etc., i., 328.
- Roman Catholic Relief (English) Act, 1791, i., 88.**
Roman Catholic Relief Bill, 1778, i., 316.
 North, Lord, on, i., 317.
- Roman Catholic Relief (Grattan's) Bill, 1795—**
 Provisions of, ii., 170.
 Rejection of Bill, ii., 176.
- Roman Catholic Relief (Hobart's) Bill, 1793, ii., 103.**
Roman Catholics—
 Act of Uniformity—
 Conditions affecting Catholics, i., 9.
 Contravention—Fines exacted in 1616, i., 70.
 Ascendency in Ireland—
 James II.'s policy, i., 136.
 Tirconnell's designs on Irish Crown, i., 157.
- Army—**
 Enlistment of Roman Catholics, i., 135, 140.
 O'Neill's title of Captain-General of the Catholic Army in Ireland, i., 18.
 Soldiers attending own chapels—Grattan's Catholic Relief Bill, case of Trooper Hyland, ii., 171.
- Celtic race and English descent feuds—Union of the two parties in Rebellion of 1641, i., 101.**
- Disarmament proclamation by James II., 1689, i., 161.**
Education—Politico-religious seminaries abroad, i., 52.
English Roman Catholics—
 Strength in England previous to Armada invasion—Allen's letters, etc., i., 202, 204.
 Views on the Irish Acts of Settlement, i., 145.
- France and Spain—Position of Catholics, i., 227.**
Government appointments held by Catholics in Ireland, i., 63.
Guise, Duke of—Proposed invasion of England, support, i., 205.
Increase of authority after Elizabethan conquest, i., 53.
James I.'s Parliament of 1613—
 Attitude of Catholics, i., 82.
 Roman Catholic lords' grievances—Letters to James I., i., 82, 83.
- Judges appointed by Tirconnell, i., 147.**
Loyalty to Protestant sovereigns, alleged—
 Charles I., Irish writers on, i., 104, 105.
 House of Brunswick assertion, i., 227.
 Statement in Catholic petition, 1792, ii., 99, 100.
 Teaching of Roman See in Ireland, in contradiction of, ii., 112.
- Military association—Formation in Dublin, ii., 96, 97.**
Parliament of 1689—Representation, i., 164, 166.
Peasantry of Ireland, tenets held by, ii., 111, 112.
Population of Ireland—
 Increase in 1731—Returns, i., 229.

- Roman Catholics—Population of Ireland—*continued*—
 Proportion of Catholics to the Protestants in Ireland—Estimates and returns, i., 229.
 Union, 1800, period, ii., 300.
 Presbyterian alliance—Rise of United Irishmen, ii., 183, 216.
 League with Presbyterians, effect of, ii., 110.
 Withdrawal of Presbyterians—Rebellion of 1798, ii., 252.
 Protestant and Catholic conciliation—Policy of James II., i., 162, 164.
 Punishment in England during the reign of Elizabeth, i., 4.
 Bossuet's opinion, i., 209.
 Dismissal of offenders—Conditions, i., 5.
 Penal Laws enactment, i., 9, 208.
 Priests put to death—Denial, i., 4.
 Scotch Covenanters—Irish Catholics support, i., 89.
 Settlement after Rebellion of 1641, i., 197.
 Sheriff list of 1686—Tirconnell's revision, i., 149, 150, 156.
 Tithes payable by Catholics—Abolition by Parliament, 1689, i., 176.
 Ulster plantation scheme of 1611—Excitement caused by, i., 81.
 Union, 1800—
 Attitude of Catholics, i., 53, 327.
 Support of Catholics and subsequent efforts for the repeal of the measure, ii., 300, 301.
 United Irishmen Society—
 Communications opened with Catholics, ii., 65, 66.
 Membership of Catholics, ii., 76.
 Union between Dublin Catholics and United Irishmen, ii., 165.
 Volunteer alliance with, ii., 59, 216.
 Roman Catholic universities—Faculties of Divinity, 1788-89—Temporal power of the Pope, i., 189.
 Round Robin Association, ii., 44.
 Routh, Bishop of Ossory—
Analecta Sacra publication—Malicious accusations against English Government, i., 60.
 Hereditary right of English kings to Ireland, i., 57.
 Rowan, Hamilton—
 French convention offer to arm soldiers, etc., for Ireland, ii., 184.
 Jackson's secret mission, discovery, etc.—Flight of Rowan and Reynolds, ii., 133.
 Prosecution of—Distribution of United Irishmen incendiary address, 1792, ii., 83, 85.
 Russell, T.—
 Secret Committee of Belfast Presbyterians, membership, ii., 64.
 Surrender on charge of high treason, ii., 198.
 Rutland, Duke of—
 Belfast petition for dissolution of Parliament—Disapprobation, ii., 60.
 Death of, ii., 26.
 Ryan, Dr.—Catholic petition for return of Fitzwilliam, meeting, ii., 166.
 ST. ETIENNE, Rabaud de—Visit to Ireland, 1791-92, ii., 184.
 St. John, Sir O.—Speaker election, Irish Commons, 1611, i., 83.
 St. Omer—Ecclesiastical politico-religious school, i., 51, 52.
 St. Vincent, Battle of—Defeat of Spanish fleet, ii., 254.
 Salamanca University—Interpretation of Papal letter to O'Neill, i., 18, 19, 20, 53.
 Sampson, William—
 Belfast public meeting on appearance of French invading fleet, 1796, ii., 212.
 Warrant for arrest of, in 1798, ii., 289.

- Sanctarellus, censure of Paris University Sacred Faculty, i., 189.
- Sanders, Papal Legate to Ireland in 1579—Tenets upheld by, i., 52.
- Sarsfield—
 Favouritism with Catholics—Racial antipathy theory, ii., 295.
 Proclamation to army in 1689, i., 219.
- Saurin, Mr.—Parliamentary vacancies after prorogation of Parliament, 1799—Mr. Lecky's statement, ii., 307.
- Scotland—
 Clan offer to raise troops—Statement in Irish Parliament, ii., 220.
 Connection with England—Separate Parliament system, evil effects of, i., 330, 332.
- Scottish Succession—Security of the Crown, Act passed, i., 331.
- "Scrambling Committee" and the disposal of bounties, i., 283.
- Seceders—Privilege granted to, for taking oaths, i., 328.
- Seminaries, foreign—
 English students in Spanish seminaries acknowledging Infanta as lawful Queen, i., 204.
 Institutions founded by Parsons and Allen—Tenets taught, etc., i., 200, 204.
 D'Ossat's, Cardinal, opinion, i., 204.
- Seminary priests—Seditious doctrine taught in England, i., 210.
- Separatist feeling, growth of in Belfast—Whig Club declaration of principles, ii., 50.
- Septennial Parliament Act in England, alteration to suit Irish elections, i., 293.
- Settlement, Acts of—
 Explanatory Act, 1665—
 Carte's account, i., 134.
 Origin of—Negotiations between neutrals and adventurers, i., 132.
 Report of history and progress of the Explanatory Act, i., 132.
- Irish grievances—
 Commission appointed—English House of Commons' interference, i., 135.
 Petition to king in 1670, i., 134, 135.
- James II.'s repeal policy—Conciliation of Protestants, i., 161.
- Nagle's, Lawyer, letter on, i., 145.
- Porter's, Sir C., opinion, and dismissal from office, i., 146.
- Repeal Bill, 1689—
 Compensation question, i., 169.
 James II.'s resistance and submission to Irish and French factions, i., 168.
 Keating's, Chief Justice, appeal letter to James II., i., 148, 170.
- Rice, Stephen, on, i., 148.
- Tirconnell's opposition to, i., 137, 138, 146.
- Settlement of 1782—
 Authority of Imperial Parliament over Irish Parliament resigned, i., 329, 334, 336.
 Episcopalian community policy—Opening of Irish Parliament to Roman Catholics, i., 333.
 Finality of, alleged—Speaker's speech against Union, 1800, ii., 305.
 Fox's, Mr., reference to—Speech in 1797, ii., 230.
 Pitt on the power of the Parliamentary party, i., 330.
 Result of settlement—Condition of Ireland in 1795, ii., 181.
- "Seven wise men" opposition—Debate on condition of Ulster in 1797, ii., 78, 79.
- Seward on the contentions between Peep of Day Boys and Defenders, ii., 129.
- Shane's Castle—United Irishmen provincial meeting, 1798, ii., 273.
- Shannon, Lord—Octennial Parliament—Rejection of Money Bill, 1769, i., 293.

- Sheares, Henry and John—Arrested as United Irishmen, ii., 294.
 Sheffield, Lord—Irish woollen trade, i., 252, 256.
 Sheridan, Charles—
 Commercial Union between Great Britain and Ireland proposals,
 ii., 10.
 Pension grant, 1790, ii., 48.
 Sheriff list, 1686—
 Clarendon's list—Tirconnell's objections, i., 149.
 Tirconnell's list of persons suitable for appointment, i., 150, 165.
 Sherlock, Sir T.—Neutrality in Rebellion of 1641, Supreme Council's
 action, i., 127.
 Sherlock v. Annesley—Irish House of Lords' decree, i., 262.
 Shipbuilding—Ships built in Ireland to be considered British ships, Act of
 1778, i., 307.
 Short Parliament—Refusal to grant Charles I. supplies, i., 89.
 Sidney's, Sir H., tour through Munster in 1567—Report, i., 29.
 Sinclair, W.—French Revolution, celebrations in Belfast, ii., 94, 95.
 Sixtus V.—
 Bull of Pius V., 1569—Confirmation of, i., 193.
 Manifesto against Queen Elizabeth, i., 202.
 "Sixty years'" limitation grace, i., 98, 99.
 Smerwick—Papal invading expedition landing at, i., 36.
 Smith, Adam—
 Irish contribution towards discharge of debt of Great Britain, i., 241.
 Irish woollen home trade, i., 257.
 Land and agriculture in Ireland, i., 266.
 Taxation of absentees from Ireland, i., 296.
 Smith, Sir W.—Union, 1800, debate—
 Attack on Grattan, ii., 304.
 Pamphlets written by, ii., 306.
 Soldiers—
 English soldiers in Ireland, 1600—Lecky's accusation against, i., 27.
 Houghing soldiers—Punishment of offence, Act passed, i., 348.
 Spain—
 Declaration of war against Britain, 1779, i., 304.
 Announcement in Irish Parliament, ii., 218.
 French invasion of Ireland, assistance—Defeat of fleet off St. Vincent,
 ii., 254.
 Immigration of Irish rebels after Rebellion of 1641, i., 124.
 Infanta of—English students compelled to acknowledge as lawful
 Queen, i., 204.
 Invasion of United Kingdom, proposal of, 1580, i., 35, 36, 199.
 Irish Rebellion of 1641—Spanish influence, i., 102.
 Sea power, destruction of, i., 37.
 Spain, King Philip II.—Claim to English throne, i., 52.
 Spanish Armada invasion, i., 37, 202.
 Allen's manifesto to English Catholics, i., 202.
 Failure of—Catholic priests' lament, i., 206.
 Spanish invading expedition of 1601—Landing at Kinsale, proclamation
 issued by generals, i., 36.
 Spanish universities—Politico-religious education of English and Irish
 youths, i., 51, 52.
 Speaker of the Irish House of Commons, salary exceeding that of the
 Speaker of Imperial Parliament, i., 353.
 Spencer, Lord—
 Coalition with Pitt's Government, ii., 135.
 Lord Privy Seal appointment, ii., 137.
 Regency question and Lord-Lieutenant appointment, ii., 39.
 Stanley, Mr. Sergeant—Defenders' oath, opinion of, ii., 118.

- Stapleton—Politico-religious tenets held at Douay and Louvain seminaries, i., 52.
 Stokes, Whitley—Moir's, Lord, misstatements in Imperial Parliament—Condition of Ireland, ii., 278.
 Strafford, Lord—
 Act of Uniformity penalties not enforced in Ireland, i., 71.
 Attainder in Ireland—Insertion of name on records, i., 172.
 Departure from Ireland, i., 88.
 Impeachment and trial of—Articles referring to Irish administration, i., 79, 80, 88, 92.
 Introduction of linen trade in Ireland, i., 64.
 Land question, Ireland—
 Connaught plantation project, i., 77, 80.
 Concealed and unjustly held lands—Strafford's effort to recover, i., 78.
 Irish Commons' thanks in 1640, i., 79, 88, 92.
 Religious toleration in Ireland—Archbishop Bramhall on, i., 72.
 Stukely—Gregory XIII. creating Stukely Marquis of Leinster, i., 36.
 Suarez doctrine—James I. and Irish agents, interviews—Parliamentary grievances, i., 62, 85, 86.
 Supremacy, Act of—
 Catholic authorities on, i., 9.
 " No spiritual authority " interpretation, Papal refusal of explanation, i., 69.
 Sweetman, John—
 Arrest in 1798, ii., 289.
 Defenders and Catholic Committee, relations between—Publication of letter, 1792, ii., 180.
 Petition of Dublin Catholics for Fitzwilliam's return—Meeting, ii., 165.
 Swift—Condition of Ireland in 1784-88, ii., 31.
 TALBOT, WILLIAM—
 Audience with James I.—Opinion on doctrine of Suarez, i., 62.
 Recorder of Dublin appointment, i., 63.
 Speaker election, Irish Commons, 1611, i., 83.
 Tandy, Napper—
 Challenge sent to Solicitor-General—Denial of freedom of debate, ii., 82, 83.
 Legal proceedings against Lord-Lieutenant, ii., 85.
 United Irishmen Society—Communication with, etc., ii., 65, 66.
 Volunteers' National Congress, 1784, i., 345 ; ii., 60, 61.
 Teeling, Luke—Roman Catholic Convention—Limitation of petition to king, etc., ii., 98.
 Test Acts—
 Abolition in favour of Catholics—
 Advantages of position in comparison with English dissenters, ii., 105, 169, 231.
 Misstatements by Fox, ii., 232.
 Sacramental Test Clause, extension to Ireland and Repeal, i., 224, 225.
 Throckmorton, Sir J.—
 Act of Supremacy, i., 9.
 Allegiance of subjects to sovereigns, i., 190.
 Catholic priests' " protestation of allegiance " to Elizabeth, i., 207.
 James I.'s oath—Rejection by English Roman Catholics, i., 195.
 Roman Catholic freedom from Papal temporal power, i., 190.
 Thomond, Earl of—Neutrality in Rebellion of 1641—Supreme Council's action, i., 127.
 Tillage sacrificed to pasture—Encouragement by Irish Parliament, i., 266.
 Bounty given on every acre of pasture, i., 272, 274.
 Commons enclosed, i., 267.

Tillage sacrificed to pasture—*continued*—

Dearth of corn—Act prohibiting exportation and distillation of corn, i., 275.

Decrease of pasture after legislative union of 1800, i., 276.

Macartney's, Sir J., speech—Union debate, 1800, i., 276.

Proportion of land under tillage in 1730—Newenham's estimate, i., 268.

Tirconnell, Earl of [R. Talbot]—Commander of Irish forces appointment, i., 138.

Tithe of agistment—

Abolition by Irish Commons, 1735, i., 277.

Suppression of—Effect on Protestant Church, i., 271.

Tithes—

Irish and English tithes, comparison, i., 273.

Munster—Oppression of clergy, etc.—Fitzgibbon on, ii., 25.

Roman Catholics, tithes payable by—Abolition by Parliament, 1689, i., 176.

Tone, Wolfe—**Defenders—**

Catholic Committee, Defenders and United Irishmen, relations between—Statements, ii., 180.

Conspiracy in 1795—Opinion of Union, etc., ii., 178.

Organisation, ii., 119.

Peep of Day Boys' quarrels—Conciliation effort, ii., 126.

Fitzwilliam episode—

Appointment of G. Ponsonby as Attorney-General—Provision for Tone, discussion, i., 144, 145.

Roman Catholic petition for return of Fitzwilliam, ii., 135, 165.

Jackson's secret mission for France, ii., 133.

Arrest of Tone—Beresford's protection of, narrative, etc., ii., 134, 135.

Northern Star publication by United Irishmen, ii., 65.

Townshend, Lord—

Lord-Lieutenant of Ireland, appointment, 1767, i., 292.

Octennial Parliament, 1769, policy of, i., 293.

Trade and commerce—

Bank of Ireland payments in specie, suspension proclamation, 1797, ii., 224.

Decline from 1773-84—Emigration of industrious workmen, 1784, i., 351.

Inland trade of Ireland, decay—Lord Clarendon on, i., 143.

Navigation Act passed in England, 1793—Benefits for Irish traders, ii., 109.

Progress in Ireland under English rule, i., 13.

Promotion of—Orde's Bill compared with Grattan's Act for promotion of commerce, ii., 19.

Ulster manufacturing industry—Effect of General Lake's proclamations in 1797, ii., 251.

Traitorous Correspondence Act, 1793, ii., 108.

Treaty of Limerick—English attitude, i., 2.

Trinity College—Irish parliamentary attack, 1640, i., 94.

Troy, Archbishop—Defender outrages, pastoral letter censure, ii., 126.

Tuscany, Grand Duke of—Invasion of Britain, 1580, scheme, i., 36, 199.

Tyrone, Earl of—

Conspiracy in James I.'s reign, i., 66.

Confiscation of estates—Irish Commons' Act of Attainder, 1614, i., 67, 87.

Marquisate conferred on, ii., 47.

ULSTER—

Ceding to France—Irish proposal to Cardinal Richelieu in 1628, i., 68.

Conspiracy to massacre English in Ulster in 1608, i., 67.

Ulster—continued—

- Plantation scheme, i., 81.
- Irish Parliament return thanks to James I., i., 87.
- Prosperity of the province, i., 222.
- Settlement after Rebellion of 1641—Security of rights to estates, i., 131.

Ulster chiefs, Act of Attainder against—Passed in Irish Commons, 1614, i., 67, 87.

“Undertakers’” authority in Parliament during absence of Viceroy, power of the Undertakers, i., 291.

Octennial Parliament, 1769, destroying power of Undertakers, i., 293.

Union—

First Legislative Union, 1654, i., 130.

Irish parliamentary address to Queen Anne, 1703, i., 251.

Legislative Union, 1800—

Anti-Unionist speeches, comparison with W. Smith’s argument, ii., 305.

Bribery, alleged means used to pass the Union—

Accusation, ii., 297, 298, 399, 309.

Johnson, W., on, ii., 303.

Control of votes by borough owners—Mr. Lecky’s statement regarding vacancies, ii., 307, 308.

Episcopalian attitude, i., 327; ii., 53, 55.

Division of Episcopalians—Reflections on, ii., 301, 302.

Pamphlets of Unionists, ii., 306.

Peers of Ireland—

Alteration of position, etc., ii., 308, 309.

Support of—Anti-Unionist reproach, ii., 310.

Plowden’s “Review” on, i., 12.

Presbyterian and Roman Catholic attitude towards proposal, i., 327; ii., 53.

Cornwallis’, Lord, tour in Ireland, ii., 301.

Roman Catholic support and subsequent efforts for repeal, ii., 300, 301.

Prosperity of Ireland previous to union—Mr. Lecky’s statement, ii., 26.

Proportion of inhabitants in favour of Union, ii., 300.

Rebellion of 1798 “wantonly” provoked to effect Union, assertion, i., 48.

Rejection in 1799—Mr. Lecky’s statement, ii., 306.

Representation of Ireland in Imperial Parliament—Provisions, ii., 308, 309.

Royal Assent to Union Bill, ii., 310.

Settlement of 1782, alleged finality—Speaker’s speech, 1800, ii., 305.

Smith’s, Sir W., reply to Grattan, ii., 304.

United Irishmen—

Arrested members—

Fitzgerald, Lord E., and others, 1798, ii., 294.

Northern leaders—Surrender of Neilson, Russell and others, 1796, ii., 198.

Belfast societies—Declarations and resolutions, ii., 70, 71.

Branch societies formed between 1792-97, ii., 65.

Defenders—Relations with, ii., 179, 183.

Disturbances, outrages, etc.—General rising scheme, 1797—Failure of, ii., 247, 248.

Dublin conspiracy, 1798—Discovery and message by Lord-Lieutenant to Parliament, ii., 294.

Dublin Society—

Addresses to the Irish nation in 1793-94—Reform schemes, ii., 83, 84, 85.

United Irishmen—continued—

- Consultation in secret, beginning of, ii., 85.
- Last address to people of Ireland in 1794, ii., 85.
- Meeting in 1793—French war denounced, etc., ii., 84.
- Members dispersed by officers, papers seized, etc., ii., 85.
- Rowan, Hamilton, prosecution of, ii., 83.
- First meeting in 1791—Declarations and resolutions, ii., 65.
- French invasion of Ireland—
 - Agent in Paris, instructions—Strength of force requested, etc., ii., 247.
 - MacNeven sent as second agent to Paris—Memoirs presented, ii., 248, 249.
 - Order issued by Executive Committee, 1798—Preparation for French invasion, ii., 284.
- Grattan's justification of atrocities committed, ii., 197, 261.
- Labouring classes, relief of—Address to the people, ii., 74, 75.
- Massacre of persons hostile to society, resolution—Discovery of conspiracy, ii., 235, 236.
- Oath of secrecy, 1794, ii., 73.
- Orangemen and United Irishmen—Alliance with Orangemen proposal, 1797—Rejection by Orangemen, ii., 243, 244.
- Origin and formation of societies—
 - Belfast Secret Presbyterian Committee, ii., 64, 65.
 - Dublin Society formation—Manifesto issued, 1791, ii., 65, 66.
 - Presbyterian alliance with Roman Catholics, i., 344; ii., 183.
- Purpose of formation—
 - Abolition of British power, ii., 69, 70, 71, 283.
 - Extracts from Drennan's circular letter on Irish union, ii., 66, 67, 68.
 - Handbills and seditious papers distributed in villages, etc., ii., 75, 76.
 - Parliamentary Reform scheme, ii., 72, 73.
- Political union of Protestants and Catholics, refutation of statement, ii., 66, 71.
- Revolutionary army levied in Ulster, 1795, ii., 187.
- Roman Catholic Convention—
 - Limitation of petition to king—Objection, ii., 98, 99.
 - Vote of thanks passed by Convention for support, ii., 98, 99.
- "Secret Brotherhood," Dr. Drennan's proposal, ii., 67, 69.
- Soldiery—United Irishmen attempt to seduce soldiers from their allegiance, ii., 77, 204, 226.
- Strength of societies and returns of members—Reports of provincial meetings, ii., 272.
- Volunteers and United Irishmen—
 - Address requesting volunteers to take up arms, etc.—Prosecution of Hamilton Rowan, ii., 72, 83, 85.
 - Resumption of arms by the volunteers—Vote of thanks, ii., 97.
 - Northern volunteers' influence, ii., 106, 107.
- Union Star*, publication in 1797—Insurrection and assassination encouraged by—Lists published of proscribed persons, etc., ii., 240, 241.
- Urban VIII.—**
 - James I.'s oath of allegiance, condemnation brief, 1626, i., 195.
 - Kings of France and Spain urged to attack England—Violation of Papal bull of Adrian VIII., i., 58.
 - Pardon granted to Owen Roe O'Neill, i., 212.

VANDELEUR, Mr.—

- Absentee tax proposal, 1797, ii., 222.
- Augmentation of troops—Budget proposal, 1797, ii., 219.
- Voluntary Enrolment (Army) Bill, 1796, ii., 204.

Volunteers—

- Belfast companies—Formation in 1778, i., 308.
- Defenders' attack on Benburb volunteers, 1788, ii., 115.
- Dublin mob, Free Trade demonstration, 1779, i., 310, 311.
- Goldsmith corps—Celebration of retreat of Duke of Brunswick, Vice-roy's proclamation against assemblies, ii., 97.
- Legislative independence of Ireland—
 - Attitude of volunteers towards Grattan and Flood after grant of independence, 1782, i., 334, 335.
 - Dungannon meeting, 1782—Resolutions, etc., i., 322.
 - Support of Flood's theory, 1782, i., 335.
- Mutiny Bill and Sugar Duty Amended Bill, 1780, acceptance by Irish Parliament—Volunteer opposition, i., 315.
- Offer of services to Government in 1781—Reported invasion of Ireland, i., 318.
- Organisation of battalions, etc., i., 309, 317.
- Origin of—Establishment of volunteers in Belfast, 1778, i., 308.
- Re-establishment of—Resolutions passed in Belfast and Dungannon, ii., 107.
- Review in 1784—Address presented to Lord Charlemont, ii., 59.
- Roman Catholic alliance—Terms, etc., ii., 24, 216.
- Ulster associations—Representatives invited by officers to deliberate on public affairs, 1781, i., 322.

WALSH, FATHER—

- Act of Supremacy, i., 9.
- Allegiance of subjects to sovereigns—Divine law, i., 190.
- Irish Remonstrance, 1661—Rejection by National Synod, i., 218.
- Penal Laws, i., 183, 210.
- “Dedicatory” address to the Catholics of England, Ireland and Scotland, i., 4.
- Rebellion of 1641, i., 100, 107, 125, 128.
- Massacres of 1641—Evidence, i., 104.
- Rinuccini's Papal Nuncio, employment of, i., 100.
- Wandesforde appointed deputy for Strafford in Ireland, i., 88.
- Wars of the Roses—Government of Ireland affected by, i., 35.
- Westmeath, Earl of—Neutrality in Rebellion of 1641, Supreme Council's action, i., 127.

Wexford—

- Betrayed to Cromwell—Rebellion of 1641, i., 114.
- Defenders' attack on, in 1793, ii., 117.
- Descent of inhabitants—Rebellion of 1798, ii., 296.
- Whiteboys' insurrections, i., 272, 298.
- Control of central counties by Whiteboys, 1763, i., 288.
- Insurrection of 1784—After volunteer revolt, i., 347.

Wicklow assizes—Judge Keating's statement on the oppression of the Protestants, i., 154, 156.

William III.—

- Act for the better security of the king's person—Irish parliamentary rejection of Bill, 1696, i., 247.
- Assassination plot, 1696—Association for protection of king formed, i., 247.
- Confederation against Louis XIV.—Forces sent to support confederation, i., 224.
- Irish campaign—Presbyterian support, i., 224.
- Irish dependence and subordination to England—Address of English Commons, 1698, i., 249.
- Royal rights—Irish recognition, ii., 37.
- Statue in Dublin—Decoration by mob, etc., in 1779, i., 310.

Woollen manufacture—

Compact between England and Ireland—

Bill passed in Irish Parliament, 1698, i., 254.

Dobbs, Arthur, on, i., 253.

English woollen trade and foreign supply, effect on, i., 259.

Exportation restrictions—Irish writers' statements, 1698, i., 252.

Linen trade encouragement, i., 258.

Irish writers on, i., 259.

Parliamentary address to Queen Anne, 1703, i., 252.

Decline in 1687 and 1784, i., 253, 351.

English market underselling Irish market, alleged, i., 257.

Export trade—

Decline of exports to England, 1778, i., 256.

Foreign export trade, 1781-83, i., 257.

Value of goods exported after 1687, i., 253.

Exportation restrictions—

Duties on woollen and bay yarn taken off by English Act, i., 255.

English and Irish prohibitory Acts, etc., i., 254.

Exception from commercial code relaxation, i., 307.

Repeal of prohibitory restrictions, i., 311.

International compact of 1698 broken, i., 312.

Home trade—

Effect of English and Irish compact, 1698, i., 254.

Increase after exportation restrictions, i., 253, 256, 257.

Woollen clothing used in Ireland—Lord Sheffield and others on, i., 257.

Imperial parliamentary address to the king, 1698, discouragement of trade, i., 253, 254.

"Memoirs of wool," i., 252, 255.

Price of wool, 1766-69, in Ireland higher than English price, i., 256.

Revival of trade after the Revolution, i., 253.

Smuggling of wool—

Decline of, after 1740, i., 256.

Prevention of—Bill defeated in Irish Parliament, i., 255.

Spanish wool cloth—Increase of trade, 1743, i., 255.

Suppression alleged—

Hutchinson's "Commercial Restraints," i., 278.

Irish writers' opinions, i., 261.

Wool grown in Ireland, estimates, i., 255, 256.

Wolves in Ireland in 1652—Rewards offered for heads, i., 123.

Women, abduction of, and the social state of Ireland in 1784-88, ii., 30.

YELVERTON—Poynings' Law, motion in 1781, i., 320, 321, 322.

Yeomanry—

Enlistment—United Irishmen persecution of persons enlisting, ii., 204, 226.

Rise of, through Voluntary Enrolment (Army) Bill, 1796, ii., 204.

Young, Arthur—

Corn bounties, 1757, i., 289, 291, 306.

Grand Canal, expenditure on, i., 300.

Inland Excise, collection abuses, i., 300.

Irish woollen trade, i., 252, 256.

Public works—Inland navigation, etc., and the waste of parliamentary grants, i., 287.

Tillage sacrificed to pasture—Contrast between tillage and pasture holdings, i., 275.

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